

Table of Contents

TAB A **AR 15-6 Investigation Findings**

TAB B **Appointment Orders**

TAB C **Personnel Interviewed**

TAB D **Legal Review**

TAB E **Sworn Statements & Exhibits**

1.	COL Harry Tunnell*	(b) (6), (b) (7)(C)
2.	"Choosing Words Carefully: Language to Help Fight Islamic Terrorism"	
3.	"Sometime War is Just War"	
4.	(b) (6), (b) (7)(C)	1-17 IN XO
5.		Brigade DCO
6.		Brigade Judge Advocate
7.		Brigade Intel Warrant
8.		8-1 CAV Commander
9.		4-23 IN BN Commander
10.		2-1 IN BN XO
11.	LTG John Johnson	I Corps DCG
12.	BG Randy Dragon	NTC COG
13.	BG Frederick Hodges	Director of Operations, RC-South
14.	Non-Lethal Training	5/2 SBCT
15.	(b) (6), (b) (7)(C)	5/2 SBCT Fires
16.		5/2 SBCT XO
17.		2-1 IN BN Commander
18.		2-1 IN BN Ops NCO
19.		5/2 SBCT Engineer
20.		TF Zabul XO; LNO to RC-South
21.		C Co, 1-17 IN BN 1SG
22.		1-17 IN Chaplain
23.	SBCT Lines of Operations	5/2 SBCT
24.	BN Lines of Operations	5/2 SBCT
25.	(b) (6), (b) (7)(C)	A Troop, 8-1 CAV Commander
26.		1-17 IN BN S3
27.		4-23 IN BN XO
28.	(b) (6), (b) (7)(C) *	4-23 IN BN S3
29.	(b) (6), (b) (7)(C)	5/2 SBCT S2X
30.	Memorandum For Record (b) (6), (b) (7)(C)	1-17 IN and 2-17 FA Commanders
31.	(b) (6), (b) (7)(C)	402d BSB XO
32.	Non-Lethal Successes	5/2 SBCT
33.	Army Times "Stryker Soldiers Say Commanders Failed Them"	
34.	Counter guerrilla Memorabilia	
35.	2-1 IN Tactical Directives	
36.	SBCT Rule of Engagement SMART Book	
37.	Memorandum For Record (Interviews with BN Staff Majors and Operations NCOs)	

38. (b) (6), (b) (7)(C) A Troop, 8-1 CAV XO
39. (b) (6), (b) (7)(C) A Troop, 8-1 CAV XO
40. Award, FLIPL, NCOER, and OER trackers
41. (b) (6), (b) (7)(C) 3/B/2-1 IN Soldier
42. (b) (6), (b) (7)(C) 3/B/2-1 IN Soldier
43. Memorandum For Record (Interview with platoon members)
44. (b) (6), (b) (7)(C) 2-1 IN BN CSM
45. (b) (6), (b) (7)(C) 3/B/2-1 IN Squad Leader
46. 2-1 IN BN S5
47. 3/B/2-1 IN Platoon Leader to March 2010
48. Schematic of CHU Arrangement
49. Memorandum For Record (Interview with (b) (6), (b) (7)(C))
50. (b) (6), (b) (7)(C) 3/B/2-1 IN Soldier
51. (b) (6), (b) (7)(C) 3/B/2-1 IN Squad Leader
52. (b) (6), (b) (7)(C) 3/B/2-1 IN Soldier
53. 2-1 IN Area of Operations
54. (b) (6), (b) (7)(C) 3/B/2-1 IN Soldier
55. 3/B/2-1 IN Squad Leader
56. 3/B/2-1 IN Soldier
57. 3/B/2-1 IN PSG thru March 2010
58. 3/B/2-1 IN PSG starting late March 2010
59. CID Illegal Drug Chart
60. Memorandum For Record (Interview with battalion staff officers)
61. Memorandum For Record (Interview with Soldiers at platoon level)
62. Memorandum For Record (Interview with Soldiers across 5/2 SBCT)
63. Memorandum For Record (Interview with battalion commanders)
64. Memorandum For Record (Interview with commanders throughout 5/2 SBCT)
65. Memorandum For Record (Interview with commanders, staff officers, and Soldiers throughout 5/2 SBCT)
66. Memorandum For Record (Interview with BG John Nicholson, Director of Operations, RC-South through Fall 2009)

***NOTE:** CDs in left jacket were submitted to the investigating officer from the witnesses as attachments to their witness statements. While I found their sworn statements relevant, I did not find the additional information submitted on the disks as relevant to this investigation, and did not rely upon the information in making my findings and recommendations.

A

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by LTG Curtis M. Scaparrotti, Commanding General, I Corps

(Appointing authority)

on 18 October 2010 (Date) (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

SECTION II - SESSIONS

The (investigation) (board) commenced at I Corps Headquarters, Joint Base Lewis McChord at 0800
(Place) (Time)

on 21 October 2010 (Date) (If a formal board met for more than one session, check here ☐. Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

Following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 1300 on 17 November 2010
(Time) (Date)

and completed findings and recommendations at 1700 on 3 February 2011
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

	YES	NO ^{1/}	NA ^{2/}
1 Inclosures (para 3-15, AR 15-6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a. The letter of appointment or a summary of oral appointment data?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Copy of notice to respondent, if any? (See item 9, below)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Other correspondence with respondent or counsel, if any?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. All other written communications to or from the appointing authority?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Privacy Act Statements (Certificate, if statement provided orally)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Information as to sessions of a formal board not included on page 1 of this report?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

FOOTNOTES: ^{1/} Explain all negative answers on an attached sheet.

^{2/} Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

	YES	NO ^{1/}	NA ^{2/}
2 Exhibits (para 3-16, AR 15-6)			
a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3 Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)			
4 At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5 Was a quorum present at every session of the board (para 5-2b, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6 Was each absence of any member properly excused (para 5-2a, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7 Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8 If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)			
9 Notice to respondents (para 5-5, AR 15-6):			
a. Is the method and date of delivery to the respondent indicated on each letter of notification?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Was the date of delivery at least five working days prior to the first session of the board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does each letter of notification indicate —			
(1) the date, hour, and place of the first session of the board concerning that respondent?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) the matter to be investigated, including specific allegations against the respondent, if any?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) the respondent's rights with regard to counsel?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) the name and address of each witness expected to be called by the recorder?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5) the respondent's rights to be present, present evidence, and call witnesses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was the respondent provided a copy of all unclassified documents in the case file?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was any respondent designated after the proceedings began (or otherwise was absent during part of the proceedings):			
a. Was he properly notified (para 5-5, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11 Counsel (para 5-6, AR 15-6):			
a. Was each respondent represented by counsel?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Name and business address of counsel:			
(If counsel is a lawyer, check here <input type="checkbox"/>)			
b. Was respondent's counsel present at all open sessions of the board relating to that respondent?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12 If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
a. Was the challenge properly denied and by the appropriate officer?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Did each member successfully challenged cease to participate in the proceedings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13 Was the respondent given an opportunity to (para 5-8a, AR 15-6):			
a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Examine and object to the introduction of real and documentary evidence, including written statements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Object to the testimony of witnesses and cross-examine witnesses other than his own?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Call witnesses and otherwise introduce evidence?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Testify as a witness?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14 If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15 Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NOTES: 1/ Explain all negative answers on an attached sheet.

2/ Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

SECTION IV - FINDINGS (para 3-10, AR 15-6)

The (investigating officer) (board) , having carefully considered the evidence, finds:

see attached memorandum

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:

see attached memorandum

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)



BG Stephen M. Twitty
(Investigating Officer) (President)

(Recorder)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board.
(In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

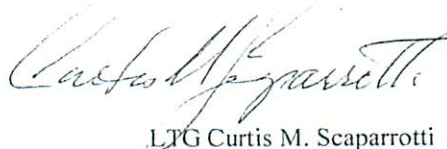
(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

Findings and recommendations of the (investigating officer) (board) are approved ~~(disapproved)~~ ~~(approved with following exceptions/conditions)~~. (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

SEE THE ATTACHED MEMORANDUM, DATED 8 FEBRUARY 2011, SIGNED BY COMMANDING GENERAL, I CORPS, APPROVING THE FINDINGS AND RECOMMENDATIONS AS MODIFIED.



LTG Curtis M. Scaparrotti



DEPARTMENT OF THE ARMY
HEADQUARTERS, I CORPS
BOX 339500, MAIL STOP 1
JOINT BASE LEWIS MCCORD, WASHINGTON 98433-9500

REPLY TO
ATTENTION OF:

AFZH-CG

8 FEB 2011

MEMORANDUM FOR RECORD

SUBJECT: AR 15-6 Investigation on 5/2 Stryker Brigade Combat Team

1. I have reviewed the subject AR 15-6 investigation, the investigating officer's findings and recommendations, and the SJA's recommendation. The IO's findings and recommendations are approved, as modified below. I direct that the recommendations be implemented as follows:

a. The results of this investigation will be forwarded to COL Tunnell's current commander for counseling or other appropriate action. I specifically recommend that COL Tunnell receive a letter of admonition. The results of this investigation will also be forwarded to (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) current commanders for appropriate action. I specifically recommend a general officer memorandum of reprimand for (b) (6), (b) (7)(C) and a letter of concern for (b) (6), (b) (7)(C)

b. I intend to issue memoranda of reprimand to (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). Filing determinations will be made IAW AR 600-37. I will consider further action regarding (b) (6), (b) (7)(C) after further investigation in the 5/2 SBCT cases involving the alleged murders of Afghan civilians and related offenses from January to May 2010.

c. I intend to issue letters of concern to (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C)

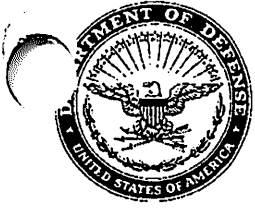
d. I direct the I Corps Chief of Staff to determine whether I Corps commanders and units are properly equipped and capable of performing periodic inspections, including both urinalysis and health and welfare inspections, especially when deploying, and report back to me no later than 7 March 2011 with specific findings and recommendations on how to ensure commanders and units are so equipped and capable.

e. I direct this investigation be forwarded to FORSCOM.

2. This action is hereby incorporated into Section VIII of the DA Form 1574 in this matter.

Encls
as


CURTIS M. SCAPARROTTI
Lieutenant General, USA
Commanding



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT BLISS
1733 PLEASANTON RD
FORT BLISS, TEXAS 79916

REPLY TO
ATTENTION OF:

AFBL-DCG

3 February 2011

MEMORANDUM FOR Appointing Authority

SUBJECT: Findings and Recommendations: AR 15-6 Investigation on 5th Stryker Brigade Combat Team, 2nd Infantry Division (5/2 SBCT)

1. Purpose. To report my findings and recommendations in the subject investigation.
2. Executive Summary.

a. On 18 October 2010, you appointed me to conduct an investigation in accordance with Army Regulation 15-6 into the command climate of 5/2 SBCT during its deployment to Afghanistan from July 2009 to July 2010 and to determine, among other things, whether the command climate had any causal relation to alleged criminal activity, including murders, committed by Soldiers from 2-1 Infantry Battalion, a subordinate unit within the Brigade, during the 5/2 SBCT deployment.

b. In summary, I found no causal relation between the 5/2 SBCT command climate created and fostered by the 5/2 SBCT commander, COL Harry Tunnell, and the alleged criminal activity, including murders, alleged to have been committed by Soldiers from 2-1 Infantry Battalion. In fact, COL Tunnell appeared to place great emphasis on adhering to standards of the law of war and the rules of engagement (ROE). Furthermore, even given that COL Tunnell's emphasis on counter guerrilla operations appeared somewhat at variance with Army doctrine, that emphasis had minimal influence on Soldiers at the platoon level. Rather, the alleged criminal activity apparently occurred as a result of the acts of individuals within 3rd Platoon, B Company, 2nd Battalion, 1st Infantry Regiment (3/B/2-1 IN). While the alleged criminal acts may have been identified earlier or perhaps prevented with stronger presence by leaders immediately above those charged with crimes, I found no evidence that the alleged acts occurred as a result of the overall command climate set by COL Tunnell.

c. Notwithstanding this lack of a causal relation, the overall command climate within 5/2 SBCT was one of frustration with the SBCT commander, at the Battalion and below echelons, for his failure to adequately communicate his tactical vision. This climate, however, was

overcome by subordinate leaders who understood what needed to be done in their unique areas of operation and did it. Their actions allowed the SBCT to achieve successes both lethally and non-lethally that, unfortunately for the Soldiers of the Brigade, have been overshadowed by the criminal actions of the few.

d. Methodology: In conducting this investigation, I interviewed 80 witnesses, reviewed appropriate doctrine, and examined numerous reports and exhibits. My interviews included the Brigade Commander and Command Sergeant Major, the brigade staff, battalion commanders and command sergeants major, battalion staff officers, battalion operations NCOs, company commanders and first sergeants, platoon leaders and platoon sergeants, and Soldiers from the platoon in 2-1 Infantry Battalion from which the alleged criminal activity occurred. Additionally, I interviewed superior officers and peers of the 5/2 SBCT Commander from Joint Base Lewis McChord, Regional Command-South, Afghanistan, and the National Training Center.

e. This memorandum contains my findings and recommendations in the subject investigation, beginning with a factual background and following with a discussion section. The factual background tells the relevant story of 5/2 SBCT and its commander and relates the details that led to my conclusions on command climate in the Brigade and its lack of causal relation to the alleged criminal activity. The discussion section then specifically addresses the questions presented in the AR 15-6 appointment memorandum. In conducting my investigation, I first had to develop situational awareness of the alleged criminal misconduct currently the subject of criminal investigations and the courts-martial process. In order to determine whether the command climate played a role in that alleged misconduct, I had to form some baseline ideas as to how the alleged misconduct may have occurred. Due to the ongoing criminal investigation and courts-martial processes, I realize I did not have the benefit of access to all information regarding the alleged crimes. Accordingly, and because it was not a directed task, I make no findings of guilt or innocence toward any Soldiers currently facing courts-martial, nor would that be appropriate. Anything in this report indicating otherwise should be read instead as background information only, in order to provide context with regards to command climate. I intentionally make no recommendations regarding any of the Soldiers currently facing courts-martial.

f. The factual background starts with an examination of the philosophy of the commander, looks at how the Brigade and its leaders formed and how it trained for deployment, and identifies initial signs of potential frustration within the Brigade. After this, the factual background follows the Brigade as it replaces one Battalion commander, absorbs several key leaders right before deployment, and deploys to Afghanistan. From there, the background looks at how the Brigade conducted operations, to include its adherence to the Rules of Engagement and its

conduct of investigations. Finally, the factual background leads into an examination of the leadership environment within the platoon that the alleged criminal activity occurred.

g. Following the factual background, in the discussion section of this memorandum I answer the specific questions I was tasked to answer, as well as provided additional findings based on the information I received during the investigation. The memorandum concludes with recommendations for action against a number of personnel brought up within the investigation.

3. Background.

The senior level command climate of 5/2 SBCT for the time period that I investigated could best be described as one of frustration and confusion at the Battalion and below levels, primarily caused by a failure of the Brigade Commander to adequately communicate his vision as to how his counterinsurgency tactical approach fit within current Army counterinsurgency operations. This failure of communication, combined with an inability to effectively communicate and thus get along with higher and sister commands resulted in additional frustration within the SBCT. While this frustration and confusion was found throughout the SBCT, there is no causal relation between the command climate and the alleged criminal activity, including murders, by several Soldiers within 3/B/2-1 IN.

a. **COL Tunnell's Mindset and Tactical Philosophy:**

(1) In 2006, COL Harry Tunnell served in the Army's Training and Doctrine Command (TRADOC) Commander's Planning Group where he was given the task of reviewing the Army's draft counterinsurgency manual, *Field Manual (FM) 3-24*. During COL Tunnell's review, he noted that the manual was written primarily for use at the operational and strategic levels and that it lacked the doctrinal framework and Techniques, Tactics, and Procedures (TTPs) necessary for training and employing brigade and below forces in a counterinsurgency environment. He disagreed with the notion that brigade and below forces should focus on the population as its center of gravity. COL Tunnell believed that brigade and below forces should maintain their traditional roles of conducting offensive and defensive operations to degrade leadership, formations, and supply and communication lines of the enemy as suggested in Army *FM 90-8, Counterinsurgency Operations*. He believed that brigade and below counterinsurgency operations compliment an overall operational and strategic counterinsurgency strategy that is executed at echelons above brigade. He stated that the operational and strategic levels have the resources and skill sets to apply the National Instruments of Power in assisting governments and the population, improving infrastructure, and conducting other non-lethal aspects of counterinsurgency, while maneuver forces should focus their efforts on the destruction of guerrilla forces to allow these instruments of power to be appropriately applied. (Exhibit 1)

(2) COL Tunnell has spent considerable time researching and studying counter guerrilla operations since 2003. In 2006, he served at the National Defense University Center for Strategic Communications where he co-wrote an article entitled, "Choosing Words Carefully: Language to Help Fight Islamic Terrorism." The article expresses COL Tunnell's view that the United States has a poor understanding of Islam. (Exhibit 2) Therefore, in COL Tunnell's view, the United States does not comprehend the meaning of the words used to describe the enemy. He also wrote an article for the Combat Studies Institute (CSI) titled, "Red Devils: Tactical Perspective from Iraq" which chronicles his airborne battalion's actions in Northern Iraq during major combat operations in 2003. (found online at <http://www.cgsc.edu/carl/download/csipubs/tunnell.pdf>)

b. COL Tunnell Assumes Command:

(1) COL Tunnell assumed command of the newly activated 5/2 SBCT on May 4, 2007. From the onset of his command, he used *FM 90-8* as the cornerstone doctrinal manual for training the SBCT and envisioning how it would fight. The Army published *FM 3-24*, Counterinsurgency Operations, in June 2007, but COL Tunnell was uncomfortable using the manual, as previously discussed. As officers and senior NCOs began to arrive in the SBCT, he personally conducted Leader Professional Development (LPDs) seminars and "newcomers" briefings using a slide brief called "Sometimes War is Just War" to focus the SBCT on his counter guerrilla philosophy. (Exhibit 3) As key leaders arrived, he pointedly asked them "what is the center of gravity?" and emphasized that it is the enemy, not the population as suggested in *FM 3-24*. Additionally, he countered the instruction that incoming officers received in Intermediate Level Education (ILE) at the U.S. Army Command and General Staff College, or their service schools to ensure all understood that the SBCT would be enemy focused when conducting counterinsurgency operations. (Exhibit 4)

(2) Although the Army published *FM 3-24.2* (interim released October 2008) in April 2009 (superseding the doctrine found in *FM 90-8*) for tactical level operations, COL Tunnell believed that the new manual focused more on strategies and methods not useful for training his Soldiers for war. COL Tunnell stated that the manual was written by people that had not trained in the military arts and sciences, and by civilians that did not have an understanding of how the military operated, particularly at the brigade and below level. He also stated that if he had used the manual that he would have trained his Soldiers inadequately putting his Soldiers at risk. (Exhibit 1)

c. COL Tunnell as a Leader:

Although COL Tunnell was generally liked in 5/2 SBCT, many of COL Tunnell's officers and NCOs were reluctant to challenge his counter guerrilla philosophy or approach him with issues or concerns. (Exhibits 5, 20) Most viewed him as an intelligent and a tactically and

technically proficient leader. However, many of his subordinates characterized him as introverted, stubborn, unapproachable, close-minded, and as a person who thinks that he knows more than most. COL Tunnell had limited social interaction with his officers and NCOs. He rarely counseled or mentored his subordinates, conducted hail and farewells, or participated in team building events. Because of the lack of interaction, many in the command started to perceive COL Tunnell as unapproachable. As a result, confusion and frustration over his counterinsurgency philosophy starts to surface in the command. Additionally, many who had been exposed to COL Tunnell's philosophy from the beginning were already growing tired of hearing about it, seeing the debate over counterinsurgency versus counterterrorism approaches as wasted intellectual energy over what was really just a matter of semantics. (Exhibits 8, 9, 10, 11, 12, 13)

d. Pre-deployment Training:

(1) Notwithstanding COL Tunnell's emphasis on counterinsurgency warfare, COL Tunnell appeared to have spent considerable time and effort in ensuring that 5/2 SBCT was prepared for what could be described as counterterrorism operations. In preparation for what was originally scheduled to be a deployment to Iraq, COL Tunnell developed a training strategy for home-station focused on tasks to support offensive, defensive, and stability operations. His primary focus was live fire exercises (LFXs) intended to build lethal, aggressive, flexible, and agile platoons and companies. Meanwhile, his Soldiers also dedicated countless hours training stability-related tasks such as language, negotiation, and mediation training. He also conducted business development LPDs with the Wexley School for Girls and the Seattle City Government, and a training session with the Bureau of Indian Affairs to better understand how "tribal culture" works.

(2) At the same time, upon completion of home-station training and to further enforce the counterinsurgency mindset in the SBCT, COL Tunnell presented "counterinsurgency" guidon streamers to every company. COL Tunnell stated that, "there is a long history of American military success employing counterinsurgency operations, our doctrine supports the concept, units are organized and equipped to conduct such operations, and we had designed a training program for the SBCT that would make a successful implementation of counterinsurgency operations possible." (Exhibits 1, 14, 15, 16, 18)

(3) In addition to training his platoons and companies at home-station for combat, COL Tunnell organized his brigade special troops battalion (BSTB) into a governance, reconstruction, and development (GRD) fusion cell led by the BSTB commander, (b) (6), (b) (7)(C) to synchronize and execute non-lethal tasks for the SBCT during deployment. His intent was for the cell to conduct the majority of stability tasks throughout the SBCT's AO, removing the

burden of conducting stability tasks from his battalions so that they can focus primarily on fighting the enemy. (Exhibits 1, 13)

e. National Training Center Rotation (NTC) February 2009:

Approximately three weeks prior to the SBCT's deployment to the NTC for their Mission Readiness Exercise (MRE), the unit was notified that it would not be deploying to Iraq, but instead to Afghanistan, causing additional stress, confusion, and frustration. While 5/2 SBCT conducting training operations at the NTC, the Commander of Operations Group (COG), BG (then COL) Randy Dragon, and his cadre felt that 5/2 SBCT's mindset was too aggressive and lethally focused on defeating the enemy instead of adhering to the Army's contemporary population centric doctrine. (Exhibit 12) COL Tunnell disagreed with NTC's observations and this caused heated confrontations between himself and some of his staff members and the NTC COG cadre. The majority of 5/2 SBCT officers and NCOs rallied around COL Tunnell as they saw the NTC cadre's actions as an attack on COL Tunnell and them regardless of whether they agreed with the assessments or not. Confrontations began to disrupt the rotation with COL Tunnell adamant about not conducting company situational training exercises (STX) to train the SBCT on current counterinsurgency TTPs, preferring to conduct brigade "force on force" and LFXs. (Exhibits 1, 8, 10, 12) The confrontation got to a point that the NTC Commander, MG Dana Pittard, requested senior leadership from I Corps to visit the NTC to resolve the dispute as the unit was on the verge of not being certified to deploy to Afghanistan. LTG (then BG) J.D. Johnson, the Deputy Commanding General of I Corps, traveled to NTC to resolve the dispute and inform COL Tunnell that his approach was too aggressive and that he and his troops must be more balanced (offensive, defensive, and stability operations) during the rotation. LTG Johnson stated that, "the stress of the change of deployment combined with COL Tunnell's insistence and focus on counter guerrilla operations as opposed to the counterinsurgency doctrine taught at NTC, negatively affected his relationship with the NTC and threatened the unit's preparation for the mission in Afghanistan." (Exhibit 11) MG Pittard also requested BG Mick Nicholson, Deputy Commander for Operations RC-South, to video teleconference and later visit NTC to stress that the SBCT be more population-centric when it assumed operations in Afghanistan. The rotation resumed after LTG Johnson verbally counseled COL Tunnell and directed him to align with the NTC's training rotation. COL Tunnell reluctantly agreed with LTG Johnson and accepted the NTC's approach. MG Pittard directed the NTC cadre to provide daily feedback to COL Tunnell. MG Pittard also provided one-on-one feedback sessions with COL Tunnell. LTG Johnson departed NTC once he believed that COL Tunnell was compliant with the NTC's approach. Lastly, BG Dragon stated, "during his two years as the NTC COG that 5/2 SBCT's was his most challenging rotation due to the reluctance of COL Tunnell to follow and train his formation using current doctrine." (Exhibit 12)

f. Change in Leadership in 2-1 Infantry Battalion:

(1) Just prior to the SBCT's deployment to NTC, the I Corps commander recommended to senior leaders that COL Tunnell and his battalion commanders, with the exception of the 2-1 IN BN commander, (b) (6), (b) (7)(C) remain in command an additional third year, taking them through the deployment to Afghanistan. COL Tunnell and subordinates within 2-1 IN BN viewed the command climate under (b) (6), (b) (7)(C) as too harsh, with him running the unit into the ground by always being in the field or keeping Soldiers after normal duty hours. Therefore, COL Tunnell recommended to the I Corps leadership and it was subsequently decided that (b) (6), (b) (7)(C) command tour be curtailed. I view (b) (6), (b) (7)(C) curtailment from command as a separate, unrelated issue having no bearing on this investigation. (Exhibits 1, 10, 17)

(2) (b) (6), (b) (7)(C) was identified to assume command of 2-1 Infantry Battalion. Knowing that he would be deploying soon and not having the benefit of home-station training with the battalion, (b) (6), (b) (7)(C) requested to come to NTC during 5/2 SBCT's rotation to observe the brigade. (b) (6), (b) (7)(C) was able to see the approach that COL Tunnell and the SBCT were taking, and knew that he had to train the battalion with a population centric focus. (b) (6), (b) (7)(C) had been an observer/controller at the Joint Readiness Training Center (JRTC) prior to assuming command so he understood the application of FM 3-24 and FM 3-24.2 counterinsurgency doctrine. (b) (6), (b) (7)(C) stated that, "I identified two immediate priorities [upon assuming command]: restoring the morale among the Soldiers and Families of the [battalion] and conducting a leader development program that properly prepared junior leaders for the conduct of combat/[counterinsurgency] operations in Afghanistan." (Exhibit 17)

g. Key Leader Arrival:

Along with (b) (6), (b) (7)(C) several other officers and senior NCOs arrived in the SBCT just prior to deployment to Afghanistan. As a result, they did not receive COL Tunnell's LPD on "Sometimes War is Just War" or any other explanation of his counterinsurgency philosophy. Many only had brief introductions to COL Tunnell before arriving in Afghanistan. This created further confusion in the SBCT with newly arrived personnel not understanding COL Tunnell's intent. After arriving from their service schools where they had learned the fundamentals of counterinsurgency, FM 3-24 / FM 3-24.2, as the Army's current operating doctrine, they found another doctrine in use, but they did not understand why. (Exhibits 10, 18, 28)

h. Operations in Afghanistan:

(1) In July 2009, the 5/2 SBCT arrived in Afghanistan and was placed under the command and control (C2) of a NATO (Dutch) contingent in Regional Command South (RC-South). The SBCT assumed the initial mission of clearing the Arghandab Valley; a tough area known to be a key transit route to Kandahar by the Taliban. The Dutch Commander, MG Mart de Kruif, and

COL Tunnell agreed that the Arghandab Valley had seen very little combat forces since the war began in 2001 and required a more offensive approach to clear the anticipated thirty Taliban fighters. The SBCT fought approximately three hundred fighters in the valley. In the Arghandab Valley, 5/2 SBCT, primarily 1-17 Infantry Battalion commanded by (b) (6), (b) (7)(C) sustained twenty-one casualties and several wounded in what would become a long and arduous fight in the Valley. In November 2009, the 6th (UK) Division, commanded by MG Nick Carter arrived in Afghanistan and relieved MG de Kruif who had commanded the NATO led command since November 2008. BG Ben Hodges, a US Army general officer, assumed duties as RC-South, Deputy of Operations from BG Nicholson. **(Exhibit 1)**

(2) MG Carter envisioned a different role for the SBCT. He decided to pull 5/2 SBCT from the Arghandab and gave the brigade the mission of securing freedom of movement (FOM) along Highway 1 to allow the Afghan locals unimpeded movement and security while travelling the highway. The mission restricted the majority of COL Tunnell's forces to the highway and two thousand meters in depth on each side of the road as a battle-space. COL Tunnell's remaining battalions were positioned in population focused areas in RC-South's area of operations (AO) and at great distances from the 5/2 SBCT tactical operations center (TOC) on Kandahar Airfield (KAF). COL Tunnell felt that this was a misuse of his highly lethal Stryker brigade and vehemently disagreed with MG Carter about the mission. The battalions and below felt the same, and wanted to stay there as they had gained ground by clearing the Arghandab and had lost significant casualties in the process—it was their fight, and being replaced by 4/82 ABN BCT was seen as a slight against them. BG Hodges stated that, "the expectation of COL Tunnell by MG Carter was to not just run Stryker vehicles up and down the road, but to get involved with the local populace. It seemed to me that COL Tunnell never bought into the mission, which became a point of friction for us. He did not seem to really get what was going on out there." **(Exhibit 13)** Over the course of the deployment, COL Tunnell's relationship with MG Carter and RC-South staff deteriorated over a variety of disagreements, and COL Tunnell acquired a reputation of not being a team player. COL Tunnell felt that his relationship with MG Carter and his staff deteriorated because there was a lack of understanding by the British command of the employment and capabilities of a Stryker brigade, and that the command routinely directed vague and non-doctrinal missions, and stripped away the SBCT's assets to support other forces in the RC-South AO. **(Exhibits 1, 20)** As a result, the senior US general in RC-South, BG Hodges, took an active role in providing guidance to COL Tunnell. Eventually BG Hodges and COL Tunnell's relationship deteriorated because of COL Tunnell's desire to challenge virtually every order that was issued by the command. COL Tunnell's refusal or challenge of higher orders impacted his SBCT staff as well. Many of his staff officers and subordinate commanders felt that their commander did not pick his fights appropriately and that he challenged orders too often instead of moving forward and executing them. **(Exhibit 20)** BG Hodges stated that, "MG

Carter and I had lost confidence in COL Tunnell's ability to command from his failure to follow instructions and intent." (Exhibit 13)

(3) During the deployment, 5/2 SBCT conducted Full Spectrum of Operations (FSO). For example, in the Arghandab Valley where Taliban forces were in control, COL Tunnell used a combination of offensive and defensive operations to clear and defeat a well entrenched Taliban force. While in areas such as Spin Buldak and Maiwand District where the situation was more permissive, 8-1 CAV SQN and 2-1 IN BN applied more of a "hold and build," FM 3-24.2 strategy in which numerous stability tasks were executed. While the SBCT had lines of operation (LOOs) that were offensively focused, the battalions developed LOOs spanning FSO, and accounting for stability operations. (Exhibits 23, 24)

i. Understanding of the Brigade Operations in Afghanistan By Command Echelons:

(1) At the brigade level, the majority of brigade staff officers understood COL Tunnell's counterinsurgency philosophy and supported *FM 90-8* as the appropriate doctrine for 5/2 SBCT while deployed to Afghanistan. The reason for this support by the SBCT staff was that officers close to him had greater access to COL Tunnell. Thus, he was able explain his philosophy and influence their opinion on counterinsurgency operations. (Exhibits 5, 6, 25, 29)

(2) Even though battalion commanders conducted stability tasks at the battalion level, the majority of staff majors and battalion commanders felt hamstrung by having to choose between following the SBCT vision, applying counterinsurgency "on the margins," (or without express dialogue with their brigade commander), or openly going against the SBCT CDR's counterinsurgency approach during the deployment. (Exhibits 8, 9, 18, 22, 26, 27) BG Randy Dragon noticed this same dynamic during the SBCT's NTC rotation. (Exhibit 12) One of the battalion commanders felt that because he openly challenged COL Tunnell's strategy, he was given an average OER, effectively ending his career progression. (Exhibit 8, 10) Some staff officers felt that at times certain battalion commanders would modify their command update briefs (CUBs), likely because they felt that COL Tunnell would not agree with the counterinsurgency strategy that they were implementing in their areas. However, two battalion commanders felt that COL Tunnell had confidence in all of his commanders to implement the necessary strategy in their battle-space regardless of offensive, defensive or stability focused. (Exhibit 30) All but one of the battalion staff majors interviewed felt they were frustrated not only by COL Tunnell's strategy, but also by the SBCT's publication of limited FRAGOs or OPODs during the deployment, making identification of the SBCT CDR's intent even more of a challenge. (Exhibits 26, 27, 60) There was also frustration surrounding the processing of administrative matters. (Exhibits 28, 31)

(3) As the battalion commanders developed strategies to fight in their battle-spaces, all implemented a "Clear, Hold, Build," *FM 3-24.2*, counterinsurgency strategy. These strategies

included addressing local projects, training the Afghan National Security Forces (ANSF), providing assistance to local and district governments, repairing infrastructure, employing Commanders Emergency Response Program (CERP), establishing fire departments, participating routinely in Shuras, establishing COPs in local villages, and engaging the local populace. The BSTB commander and his GRD cell implemented and synchronized projects in the SBCT, receiving praise from the RC-South Deputy Commander, who commented on how (b) (6), (b) (7)(C) led one of the best GRD cells he had seen, and that their SBCT alone accounted for around 60% of RC-South's CERP spending. (Exhibits 13, 32)

(4) At the company level, the majority of the company commanders implemented guidance from a variety of sources including: their battalion commanders, the tactical directives published by GENs McKiernan and McChrystal, the FM 3-24.2 draft doctrine taught at their career courses, and lessons from their own previous combat experiences, which they used to guide their approach in their respective battle-spaces. Many of the captains stated that they disagreed with COL Tunnell, but that his philosophy did not impact the way they operated at the company level. While some thought that (b) (6), (b) (7)(C) was removed from command for disagreeing with COL Tunnell's counter guerrilla philosophy (as publicized in an *Army Times* article), (Exhibits 21, 26, 33) COL Tunnell stated that he removed the captain due to a lack of discipline and a high Soldier casualty rate in the company and that "fresh" leadership was required. (Exhibit 1) There is insufficient evidence available to determine what the primary motivation was for removing (b) (6), (b) (7)(C) from command.

(5) It should be emphasized, however, that at the platoon level and below, COL Tunnell's counter guerrilla philosophy had minimal impact on the Soldiers. Platoon leaders and NCOs felt that they generally executed tactics based on their company commanders' guidance and that few operations were conducted above the platoon level. (Exhibit 61) In fact, the only reach of COL Tunnell's counter guerrilla strategy to the Soldier level seemed to come through the identity he attempted to establish for the Brigade as a "counter guerrilla unit" by creating company guidon streamers that read "counter guerrilla," commissioning a deployment print by artist (b) (6), (b) (7)(C), (b) (7)(E) that included the term "counter guerrilla," and selling redeployment memorabilia including pistols and Jack Daniels bottles engraved with the term "counter guerrilla." (Exhibit 34)

j. Attitude Toward Investigations and the Rules of Engagement:

(1) Even COL Tunnell's most vocal critics stated that adhering to the Law of War/ROE and investigating possible violations and other serious incidents were two areas that he took very seriously and went to great lengths to enforce across the brigade. Soldiers within the SBCT generally understood the ROE. COL Tunnell and battalion commanders developed pocket smart cards, training scenarios, and training aides to assist Soldiers on the ROE during home-station training, NTC, and during their deployment to Afghanistan. Many of the Soldiers commented

that the smart card that COL Tunnell directed every Soldier carry at all times and the battalion commanders' monthly tactical directives detailing Escalation of Force (EOF) lessons learned were very useful in enforcing ROE guidance. (Exhibits 35, 36, 62) COL Tunnell directed every battalion to conduct monthly EOF and ROE training and report one-hundred percent completion to the SBCT TOC. (Exhibits 1, 63) COL Tunnell personally attended the monthly training with the members of his Assault Command Post (ACP). Additionally, COL Tunnell required all battalion and company commanders to ensure all Soldiers were briefed on and understood the ISAF Commander's tactical directives. (Exhibit 1, 10)

(2) When faced with a serious incident or other triggering event that was brought to the attention of the chain of command, the SBCT quickly initiated the relevant investigation, whether required through NATO or US channels. BG Hodges stated that "Harry always did proper investigation procedures anytime there were significant issues, including when there were civilian casualties, and sent it to higher." (Exhibit 13) COL Tunnell and the SBCT staff enforced RS-South directives by ensuring Impression Reports required in the NATO chain of command were submitted in a timely manner in the event of a known or suspected civilian casualty. The SBCT staff also tracked the incidents as part of the Commander's Critical Information Requirements (CCIR). Other incidents requiring action due to Army or other regulations were similarly tracked and investigated appropriately. (Exhibits 6, 16) When the alleged criminal activity within 3/B/2-1 IN was discovered by the command, military law enforcement was quickly brought in to investigate.

(3) Additionally, all echelons of the command were required to conduct storyboards upon completion of missions when engagements with the enemy occurred, or as otherwise required for additional incidents. These were generally executed as expected within the SBCT except on occasion when some were not completed in a timely manner. There was no SBCT standard on who developed and approved storyboards prior to being forwarded to higher commands. Generally the platoon leader developed the storyboard and it was forwarded to the company Command Post (CP) where the company XO or the company commander approved submittal to the battalion, and the battalion operations officer (BN S3) routinely approved prior to submittal to the SBCT TOC. Generally, the SBCT S3 or the battle-captain reviewed and approved storyboards prior to submittal to RC-South. There were no indicators of any systematic problems with how 5/2 SBCT developed or approved storyboards. The SBCT operated in a very similar manner as other deployed BCTs. (Exhibit 37)

(4) While the systems for reporting within the SBCT were sound, these systems had to rely upon good information from the Soldiers who witnessed the events. In some cases, including the alleged criminal activity within 3/B/2-1 IN, the information flowing into the system appeared to fail the process. In one such case within 3/B/2-1 IN, the A Troop Executive Officer knew of additional activities that occurred on an objective but failed to ensure this information

was reported in the storyboard. After hearing shots while out on mission in the village of La Muhammad Kalay in January 2010, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) maneuvered on the village in the vicinity of the platoon. (b) (6), (b) (7)(C) observed a body on the ground. The body was not moving nor could (b) (6), (b) (7)(C) tell whether the individual was armed. He told (b) (6), (b) (7)(C) to "make sure he is dead before you start searching him." After hearing the comment, (b) (6), (b) (7)(C) apparently fired a round into the body. No other Soldiers witnessed (b) (6), (b) (7)(C) directive or the shooting. (b) (6), (b) (7)(C) did not stop (b) (6), (b) (7)(C) nor did he immediately question (b) (6), (b) (7)(C) about why he fired. (b) (6), (b) (7)(C) stated that he did not intend for (b) (6), (b) (7)(C) to shoot the body to ensure that the individual was dead. Previously in the Arghandab Valley, (b) (6), (b) (7)(C) unit encountered an individual believed to be dead but was found to be alive when they checked, allowing them to successfully MEDEVAC the individual. (b) (6), (b) (7)(C) states he intended for (b) (6), (b) (7)(C) to check to see if the individual was still alive before searching him. (Exhibits 38, 39)

(5) Although (b) (6), (b) (7)(C) could have believed that (b) (6), (b) (7)(C) observed a threat and was ordering him to shoot the body, such confusion seems unlikely. The body was not moving and appeared to be unarmed. It is also possible – though unlikely – that (b) (6), (b) (7)(C) independently saw something that he determined to be a threat. However, after using unfortunate words to communicate his directive, (b) (6), (b) (7)(C) failed to take any action to determine why (b) (6), (b) (7)(C) fired. He did not immediately question him, follow-up, conduct debrief or an AAR, or inform higher leaders of the incident. While (b) (6), (b) (7)(C) stated to CID that he discussed concerns with the troop commander about the shooting, it is not clear how he articulated the events. Even though he assisted with drafting the storyboard from the engagement, he did not mention the shooting by (b) (6), (b) (7)(C) (Exhibits 38, 39). The omission of this information from the report prevented higher commanders from having any knowledge of the event for them to review and act accordingly. The storyboard/report on the initial engagement explained how Soldiers killed an attacker after a grenade attack later turned out to be one of the alleged murders, a set-up kill of a civilian by some of the accused Soldiers in 3/B/2-1 IN. The false information they reported on the scene as (b) (6), (b) (7)(C) and others arrived became the basis for the storyboard and other reports. This example of bad information flowing into the system highlights how this otherwise sound system of reporting could fail.

k. Discipline and Standards within the SBCT: While the SBCT's overall approach to reporting was praised as excellent, the overall discipline and standards in the Brigade were best described as satisfactory. That said, I found 5/2 SBCT needed improvements in five areas:

(1) The SBCT appeared to have poor uniform standards (rolled-up sleeves, un-bloused pants legs, and dark eye protection—ISAF required clear eye protection when interacting with the populace). In addition, many of the COPs lacked appropriate cleanliness standards. (Exhibits 26, 28)

(2) It appears that COL Tunnell and (b) (6), (b) (7)(C) did not focus heavily on administrative actions in the command. Soldiers viewed the SBCT command team more as "war fighters" than administrative-type leaders, and administrative actions suffered in the SBCT because of their neglect. Numerous awards, non-commissioned officer evaluation reports (NCOERs), officer evaluation reports (OERs), and FLIPLs were not completed during COL Tunnell's command tour. Several initiated in 2007 had still not been completed as I wrote this report. (Exhibits 28, 40)

(3) 5/2 SBCT leaders failed to use the urinalysis program while deployed. Only a small percentage of the SBCT conducted urinalysis testing, and only after it was discovered that Soldiers in 3/B/2-1 IN were smoking hashish. (Exhibit 18, 64)

(4) 5/2 SBCT commanders generally did not enforce health and welfare inspections while deployed until (b) (6), (b) (7)(C) informed the leadership, in May 2010, that Soldiers had been smoking hashish in his CHU. By not conducting periodic inspections, leaders had no idea whether good order and discipline were being maintained in Soldiers' living quarters. Conditions were possible for someone to store contraband in their living quarters as a result. (Exhibits 41, 42, 64)

(5) 5/2 SBCT did not enforce accountability and proper safeguarding of high explosives (hand grenades, claymores, C4, and bangalore torpedoes). After initial distribution from Brigade, there did not appear to be adequate accountability. Some Soldiers were allegedly able to trade explosives amongst each other without signing DA 581s accounting for the transaction. (Exhibit 42, 65)

1. Discipline and Standards within 3/B/2-1 IN:

(1) Prior to discussing the discipline of the platoon in which the alleged murders, assaults and drug use occurred, it is important to understand the platoon's physical and mental environment. First, there is nothing to indicate that combat stress was a factor that contributed to the murders or the behavior of the platoon. Soldiers lived on FOB Ramrod, a Battalion-level FOB, not on a smaller COP or Patrol Base. Initially the platoon resided in ten-man tents, but later moved into one or two man containerized-housing-units (CHUs) in late March, 2010 giving Soldiers greater living space and increased privacy. The platoon was only involved in five engagements during their year deployed; three of those engagements involved the alleged murders. The platoon conducted approximately two missions daily lasting from two to six hours, however they frequently went without conducting missions for days, remaining on the FOB. Several Soldiers discussed how often they were bored due to a lack of missions. Soldiers said when they heard gun fire in the distance they wanted to go "get some." There is no evidence to suggest that Soldiers were under physical or mental duress as a result of any sustained combat operations by the platoon. (Exhibit 43)

(2) Comparing the overall satisfactory standards and discipline in the SBCT and considering the environment within which the platoon was operating, 3/B/2-1 IN had significantly lower standards and discipline than other units within the SBCT. In fact, the platoon's standards and discipline were so alarming that one might question how the company and battalion levels of command did not know of many of the incidents that occurred within the platoon. However, upon further investigation, one would find that many of the incidents were not reported above platoon level. (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) the platoon's company command leadership while deployed, resided on the same FOB as the platoon. However, they elected to live approximately two-hundred meters away from the platoon and their troop in their company CP because they felt it better to reside closer to the battalion TOC. (Exhibit 25) Because of a lack of troop command presence in platoon living areas, the troop commander and First Sergeant were likely unaware of most activities or whereabouts of their Soldiers. Once the battalion commander began to hear of the indiscipline within 3rd Platoon highlighted below, he removed the platoon leader (b) (6), (b) (7)(C) and platoon sergeant (b) (6), (b) (7)(C) in mid-March. (Exhibits 17, 25, 44) However, the platoon's standards and discipline appeared to have significantly deteriorated by the time the leadership change occurred. The following is a list of incidents that occurred in the platoon while deployed:

(a) One of the platoon's Soldiers negligently discharged his M203 Grenade Launcher with a high explosive (HE) round, destroying a CHU on FOB Ramrod. The Soldier failed to clear his weapon when returning back to the FOB and his squad leader failed to conduct the proper leader checks to ensure all weapons were cleared prior to re-entering the FOB upon completion of mission. The incident was reported to the company and battalion leadership. (Exhibits 17, 25, 44)

(b) At least one Soldier in the platoon allegedly shot several dogs and chickens while on patrols in the Afghan villages. The dogs did not pose a threat to the Soldiers, and they were apparently killed unnecessarily. Both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were aware of the dog and chicken killings but failed to take the appropriate action to stop the killings. (Exhibits 25, 45, 46) I found no evidence that the incidents were reported to the company and battalion leadership. After the change in Platoon leadership, the new platoon sergeant observed a Soldier shooting a dog, and immediately reprimanded him, ending the killing of dogs by the platoon. (Exhibits 45, 54)

(c) Soldiers in the platoon defaced one of the many portable bridges the unit constructed for crossing irrigation ditches within their AO by painting the word "Crusader" on the structure. The 2-1 Battalion XO discovered the incident and had the Soldiers remove the graffiti from the bridge. (Exhibits 25, 44)

(d) During an EOF incident on Highway 1, the platoon opened fire with approximately six to eight Soldiers including four M249 Squad Automatic Weapon (SAW) gunners, killing an unarmed man in a field. The battalion leadership determined that the EOF was justified. However, the platoon used excessive force to kill the Afghan local. The incident indicates a lack of fire control and discipline from the platoon. (discussed in greater detail in paragraph 3p below) (Exhibits 17, 25, 47)

(e) The entire platoon was found asleep by the 2-1 IN Battalion operations NCO while they were conducting operations off of FOB Ramrod. Apparently the platoon's Soldiers had completed a mission and decided to stop for a rest break and all of the Soldiers fell asleep without establishing a guard watch. The incident was not reported to the company or battalion leadership. (Exhibit 18)

(f) (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) allowed Soldiers to maintain HE grenades, RPG rockets, mortar rounds, claymores, Det Cord, and C4 in their sleeping tents and CHUs. Neither leader enforced the turn-in of items after operations or accountability procedures. (Exhibit 42) The incidents were not reported to the company leadership.

(g) Members of the platoon were allowed to call each other by their first name regardless of rank. Two Soldiers interviewed said that the platoon's privates and specialists routinely called NCOs by first names and that the NCOs did the same with the junior Soldiers. (Exhibit 49) I found no evidence that the company and battalion leaders were aware of the Soldiers calling their superiors by their first name.

(h) The Afghan locals complained to the battalion leadership about the platoon's behavior while they were on patrol in local villages. The platoon was accused of kicking in doors of homes and being disrespectful to the populace by yelling and saying derogatory comments. This required the battalion XO to attend a Shura with displeased locals to resolve. The platoon actions, once known to the command, prompted the battalion commander to remove (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) in mid-March and replace them with two highly effective leaders, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) (Exhibits 10, 17, 44, 46)

(i) The platoon was known to have poor uniform standards (commonly mentioned-- trousers un-bloused, sleeves partially rolled-up, unshaven). While this was an overall brigade problem, 3/B/2-1 IN was commonly mentioned during interviews. (Exhibits 18, 44)

(j) At least fifteen Soldiers in the platoon allegedly participated in the smoking of hashish, and some of the Soldiers traded prescription drugs amongst each other with the intent of becoming intoxicated. I found no evidence that the platoon, company, and battalion leadership were ever aware of their Soldiers' drug use until reported late in the deployment. (Exhibits 17, 25)

(k) A review of the CID file indicated three additional acts of indiscipline:

- One Soldier allegedly stored severed fingers in his CHU, allegedly removed from one of the Afghan locals who he is accused of murdering. (Exhibits 41, 42, 50) I found no evidence that the platoon, company, and battalion leadership were aware of the fingers.
- Soldiers in the platoon allegedly photographed a dead enemy combatant and sent the pictures to family members and friends via the internet. Soldiers also apparently traded the photographs amongst themselves as war trophies instead of safeguarding the pictures for evidence or storyboards. (Exhibits 50, 51, 52) I found no evidence that these incidents were ever reported to the company or battalion leadership.
- One or more Soldiers allegedly stabbed a dead enemy combatant with a knife and several posed with the corpse for photographs and video, including (b) (6), (b) (7)(C) (Exhibits 50, 51, 52) The incidents were not reported to the company or battalion leadership.

(3) Perhaps adding to the problem is that commanders above this platoon may not have been in the best position to either anticipate or respond to indiscipline, due to the OPCON versus ATTACHED arrangement of the 2-1 IN platoon to the 8-1 CAV Troop, who was then OPCON to 2-1 IN Battalion. COL Tunnell elected to OPCON units from battalions within the SBCT instead of ATTACH even though units generally remained with the unit that they were OPCON to throughout the deployment. A Troop received two infantry platoons from companies within 2-1 IN. (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were unfamiliar with the strengths and weakness of the platoons that they received, and were unaware of the level of discipline in each. They expected the detaching unit to provide their best platoon to their organization, as is common practice. The CAV troops received infantry platoons to balance out the maneuver forces with more infantry Soldiers. (b) (6), (b) (7)(C) habitual company commander and First Sergeant, (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), operated and resided several miles away on COP RATH in the Maiwand District. Both leaders rarely saw the platoon or got involved in their daily activities. (b) (6), (b) (7)(C) had two platoons (b) (6), (b) (7)(C) from two different companies (b) (6), (b) (7)(C) during the deployment. Neither of the platoons trained with (b) (6), (b) (7)(C) during home-station training or at the NTC. (Exhibits 8, 25, 53) The Battalion commander was new to the command as well, so he too was unfamiliar with the strengths and weaknesses of the platoon leadership.

m. Assessment of Platoon Leadership:

The platoon lacked a strong platoon leader and platoon sergeant who enforced standards. Both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were characterized as weak leaders, lacking confidence, self-serving, focusing on wanting to be liked by the Soldiers so failing to enforce standards, and not engaged in the platoon's daily activities. When Soldiers returned from daily missions, there was very little involvement with the Soldiers by the platoon leadership. The platoon leader and platoon sergeant were distant and spent most of their time in their CHUs until mission. For the most part, the two leaders did not eat, conduct physical training, or interface with their Soldiers. (b) (6), (b) (7)(C) considered time on the FOB as "down time" for his Soldiers unless preparing for mission. This mindset allowed Soldiers to roam the FOB and find opportunities for misconduct. He and the platoon sergeant never established the presence necessary of leaders to ensure that standards were enforced and to understand their Soldiers' whereabouts during "down time." As a result, Soldiers viewed the platoon's squad leaders as the primary leaders in the platoon. (b) (6), (b) (7)(C) the platoon's 2nd squad leader, was viewed by many as the *de facto* platoon sergeant. However, (b) (6), (b) (7)(C) was rightfully more concerned about leading his squad, and was not necessarily focused on the overall well-being of the platoon, leaving it without effective leadership. (Exhibits 10, 17, 18, 21, 25, 44, 46, 54)

n. Impact of (b) (6), (b) (7)(C) Arrival in the Platoon:

(1) Without effective leadership and acts of indiscipline already occurring, the platoon's standards were already deteriorating upon the arrival of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) joined the platoon as a squad leader in mid-November after being removed from his position on COL Tunnell's personal security detachment (PSD) for allegedly stealing a Gator All Terrain Vehicle (ATV). (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were aware of (b) (6), (b) (7)(C) Article 15 and dismissal from COL Tunnell's PSD for stealing a Gator. However, the platoon had lost a squad leader to injury and was in need of a replacement. Soldiers in the platoon immediately saw (b) (6), (b) (7)(C) as a no-nonsense, take charge, and tactically proficient squad leader. He was generally considered one of two "leaders of trust" by the Soldiers. (b) (6), (b) (7)(C) also looked the part of a squared away infantry NCO. His physical appearance was fit and dominating, with a large physical stature, but that was generally not reflected in his actions. Instead of acting overbearing or intimidating, as one might expect for someone of his stature, his typical public demeanor was reserved and quiet. He seemed to be a loner. (Exhibits 25, 55)

(2) At some point early in the arrival of (b) (6), (b) (7)(C) to the platoon, he began to brag and show-off the skull tattoos on his leg of the "kills" that he conducted while deployed to Iraq in 2004. (b) (6), (b) (7)(C) apparently privately referred to the Afghan locals as "savages," but would outwardly show his disdain for the Afghan people by allegedly killing their dogs and chickens

and saying negative comments. (Exhibits 25, 45, 46, 54, 55) At some point, according to statements in the CID files, (b) (6), (b) (7)(C) allegedly formed a friendship with (b) (6), (b) (7)(C) and convinced him that they could murder innocent locals and get away with it. (Exhibit 42) The other Soldiers were allegedly eventually recruited to join in on the alleged criminal acts.

o. Alleged Murders:

(1) The alleged murders occurred on three separate occasions in 2010 during the following timeframe and villages: La Muhammad Kalay on January 15, 2010, Keri Khely on February 22, 2010, and Qualaday on May 2, 2010. All apparently occurred while the platoon leader (b) (6), (b) (7)(C) (January and March 2010 murders) and (b) (6), (b) (7)(C) (May 2010 murder) was indoors and out of view of the platoon while conducting Key Leader Engagements (KLE) with village elders. The platoon sergeant (b) (6), (b) (7)(C) (January 2010, on mid-tour leave) (March 2010 murder) and (b) (6), (b) (7)(C) (May 2010 murder) remained on his Stryker Vehicle during all the engagements and was not in viewing distance of the killings. (Exhibits 56, 57, 58) The alleged murders occurred when the accused Soldiers were isolated from the rest of the platoon. (Exhibits 42, 52) Additionally, the accused Soldiers are alleged to have planted the props (using AK 47s, US grenades, and Russian pineapple grenades), which gave all in the platoon and up the chain of command the impression that the kills were legitimate shootings in accordance with the ROE.

(2) The platoon did not conduct debriefs or AARs upon completion of missions, which has been standard Army practice in our wars in Iraq and Afghanistan. (Exhibits 43) It is possible that if the platoon had conducted debriefs or AARs that someone in the platoon may have noticed or become suspicious that of the five engagements that the platoon had, three of the engagements involved (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). A requirement for more detailed post-engagement briefs could possibly have made it more difficult for them to present additional alleged staged murders without raising suspicion. (b) (6), (b) (7)(C) a platoon NCO, initially became suspicious but decided not to pursue after hearing what happened on the ground, which sounded legitimate to him. (Exhibit 54)

(3) The troop commander, (b) (6), (b) (7)(C) conducted battlefield circulation (BFC) with the platoon two to three times a week, but was not on patrol with the platoon when any of the murders occurred. (Exhibit 25) The Alpha Troop (b) (6), (b) (7)(C) conducted BFC with the platoon only once or twice during the deployment. (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) never conducted BFC with the platoon throughout the deployment nor did COL Tunnell or (b) (6), (b) (7)(C) (Exhibit 58) (b) (6), (b) (7)(C) conducted BFC with the platoon, during which one of the alleged murders occurred (January, 2009 at the village of La Muhammad Kalay). (Exhibit 38)

(4) Other priorities can consume leaders while deployed and hinder their ability to routinely "touch" every unit under their command. The battalion leadership may not have conducted BFC with the Soldiers because of the proximity of the platoon on the same FOB. (b) (6), (b) (7)(C) had companies widely dispersed over his battle-space with which he visited and conducted BFC routinely. Seeing this platoon daily on the FOB, along with the fact they were not a battlespace owner and saw limited combat action are likely reasons for the lack of BFC with this platoon. (Exhibit 53)

p. EOF on Highway 1:

(1) An additional incident that appeared to be criminal activity was investigated and determined by the chain of command to fall within ROE. Further examination indicates an excessive use of force as well as planting of evidence in what would otherwise arguably be a legitimate shooting. (b) (6), (b) (7)(C) and his platoon were patrolling along Highway 1 at night and came across a man crouched on a hill, described as approximately 50 meters away. The platoon felt the man was acting strange so (b) (6), (b) (7)(C) ordered the patrol to halt and investigate. The platoon dismounted their Stryker Vehicles. According to those interviewed, the man started walking towards them; they asked him to halt twice and he did not. Although they did not see that the man was armed, they initiated EOF procedures, including warning shots, and he continued to proceed towards the patrol. According to (b) (6), (b) (7)(C) he was concerned that the man was a suicide bomber so he ordered his Soldiers to open fire. The platoon opened fire with six to eight Soldiers including four 249 SAW gunners, killing the unarmed man. In conducting Tactical Site Exploitation (TSE), the platoon went through their TTPs in clearing the body for a possible suicide bomb and found that the man was not rigged with explosives. (b) (6), (b) (7)(C) radioed to (b) (6), (b) (7)(C) that the platoon had just killed a man on the road. (b) (6), (b) (7)(C) responded that "you'd better find something." (Exhibits 25, 41, 47, 57) According to (b) (6), (b) (7)(C) the platoon searched for approximately 90 minutes and found an AK-47 magazine 50 meters away on top of a hill. (Exhibit 47) A statement in the CID investigation indicated that the AK-47 magazine was in one of the platoon's Stryker Vehicles and Soldiers used it to plant in the vicinity of the unarmed man to give the impression to higher that the shooting was justified. It was also later determined that the Afghan man was mentally handicapped, possibly explaining why he did not follow the platoon's commands. Sworn statements indicate that only a few Soldiers in the platoon knew about the planting of the magazine on the scene to justify the shooting. (Exhibits 25, 41, 47, 57)

(2) (b) (6), (b) (7)(C) had no hard evidence to suggest that the man was a suicide bomber. However, after the fact and from far away it is difficult to question his judgment on whether he or his Soldiers perceived a threat; the man continued to proceed toward the patrol even after the platoon implemented EOF procedures, to include warning shots. However, engagement by six to

eight Soldiers, including four M249 SAW gunners, was excessive and displayed another lack of discipline by the platoon.

(3) (b) (6), (b) (7)(C) statement to (b) (6), (b) (7)(C) over the radio telling him that "you'd better find something" was neither confusing nor a suggestion to plant evidence. (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) both knew the platoon leader was on the verge of being relieved by his battalion commander for unit indiscipline. (b) (6), (b) (7)(C) meant the statement as "you'd better find something, for your sake." A review of (b) (6), (b) (7)(C) statement to CID indicates he perceived the same meaning as well. (Exhibits 25, 47)

q. Platoon Drug Use:

(1) At least fifteen Soldiers in the platoon allegedly smoked hashish and traded prescription drugs as a way to get high. Soldiers speculate that the Soldiers could have obtained drugs from the ANSF or interpreters. However the platoon was not partnered with ANSF and rarely conducted missions with them during their deployment. ANSF did visit FOB Ramrod from time to time, so it is possible that Soldiers could have obtained the hashish from ANSF, or from contractors located on FOB Ramrod. Some of the Soldiers socialized at night with the FOB contractors, playing cards and dominos. It is difficult to determine from whom the Soldiers allegedly obtained the hashish given that in Afghanistan drugs are prevalent and Soldiers are constantly exposed to them while on patrols and other operations. (Exhibits 41, 59)

(2) Soldiers possibly smoked the hashish in one of the Stryker Vehicles that was not routinely used because the platoon lacked personnel. The assigned driver of the infrequently-used vehicle indicated that his team leader would knock on his CHU nightly and ask to borrow the key to the Stryker Vehicle. When the Soldier asked for what, his team leader would answer back in some sarcastic way but would never tell him why he needed the keys. (Exhibit 49) The Soldier would give the keys to him anyway because he was his team leader and feared retribution if he failed to comply. CID sworn statements from the accused Soldiers indicate that Soldiers also smoked in (b) (6), (b) (7)(C) CHU. (Exhibit 41) (b) (6), (b) (7)(C) CHU was the furthest from both the platoon leader's and the platoon sergeant's CHUs. The platoon leader and platoon sergeant did not bracket their platoon with one having a CHU on one end and the other one the opposite end, so it was relatively easy for the Soldiers to smoke in (b) (6), (b) (7)(C) CHU, and for the accused Soldiers to assault (b) (6), (b) (7)(C) without the platoon sergeant and platoon leader knowing. (Exhibit 48) Again, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) did not reside with their Soldiers so they were probably unaware of many of the incidents that occurred in the platoon living area.

(3) According to the CID files, of the five Soldiers that are accused of murdering Afghan civilians, all except (b) (6), (b) (7)(C) are alleged to have smoked hashish. However, the CID sworn

statements from some of the accused allege that (b) (6), (b) (7)(C) influenced other Soldiers in the platoon to assault (b) (6), (b) (7)(C) when rumors surfaced that he reported his CHU-mate for smoking hashish in their CHU. (b) (6), (b) (7)(C) then is alleged to have participated in the assault even though he apparently did not smoke hashish. He is alleged to have verbally and mentally assaulted (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) insinuated that he would kill him if he snitched on the platoon, and showed him severed fingers to demonstrate that he had killed in the past. (Exhibits 41, 52)

r. Conclusion.

While the alleged criminal acts may have been identified earlier or perhaps prevented with stronger leader presence, I found nothing to indicate that the alleged criminal acts occurred as a result of the command climate set by the leaders above them. The overall command climate within 5/2 SBCT was one of frustration, at the Battalion and below echelons, with their SBCT commander for his failure to adequately communicate his tactical vision to the Brigade. This climate was overcome by subordinate leaders who understood what needed to be done in their unique areas of operation and did it. Their actions allowed the SBCT to achieve successes both lethally and non-lethally which, unfortunately for the Soldiers of the Brigade, have been overshadowed by the alleged criminal actions of the few.

4. Discussion.

a. Whether command climate encouraged or impeded good order and discipline of 5/2 SBCT Soldiers.

(1) My findings are that the command climate in the SBCT did not impede good order and discipline of 5/2 SBCT Soldiers. Most acted in a manner in which we would expect of US Army Soldiers. I determined that COL Tunnell's counterterrorism philosophy or his purported aggressive mindset did not contribute to the alleged murders of the Afghan civilians or the indisciplined behavior of 3/B/2-1 IN. However, apart from the impacts of his command climate, COL Tunnell's inattentiveness to administrative matters, to include an apparent lack of emphasis on command inspections including urinalysis testing (mentioned in 3k above), may have helped create an environment in which misconduct could occur.

(a) (b) (6), (b) (7)(C) joined the platoon in November, 2009. There is no evidence to support that the Soldiers in the platoon committed murders prior to (b) (6), (b) (7)(C) arrival, nor does there appear to be a link between the alleged criminal activity and anyone outside of the platoon. The fact that the accused Soldiers involved in the murders went through the planting of evidence to show proper engagement under ROE is an indicator that use of force standards were enforced by the leaders in the command.

(b) I find that there is no information or evidence that indicates any other unit than 3/B/2-1 IN demonstrated such a pattern of indiscipline. It is clear that 3/B/2-1 IN lacked strong, aggressive, and mature leaders who enforced standards. Weak leadership cultivated a lack of trust in the platoon chain of command by the Soldiers and resulted in a deterioration of good order and discipline.

(2) I do find that COL Tunnell's ineffective communication with the officers, NCOs, and Soldiers significantly impacted the command climate within his SBCT. His refusal to adopt the *FM 3-24 / FM 3-24.2* contemporary Army doctrine created frustration, confusion, and friction at multiple levels in his command. His inability to comply and conform to senior leaders' directives demonstrates his lack of flexibility, teamwork, and discernment required of our senior leaders. COL Tunnell failed to realize the authority he has as a senior officer and commander.

(3) COL Tunnell's former supervisors in RC-South, BG Nicholson and BG Hodges, both stated that they lacked confidence in his ability to effectively command his brigade. However, they did not request relief. BG Nicholson stated that he wanted COL Tunnell to be successful, even if it meant more involvement than what was normally required of a general officer when dealing with a brigade commander. BG Hodges stated that, "looking back on my relationship with him, I regret that I wasn't more involved in his professional development during his tenure as a brigade commander. I should have specifically told him that MG Carter and I had lost confidence in his ability to command from his failure to follow instructions and intent."

(Exhibits 1, 13, 66)

b. Whether the command climate encouraged or impeded appropriate application of targeting criteria, compliance with Laws of Armed conflict, and adherence to standard and discipline expected of United States Soldiers?

I find that COL Tunnell and his battalion commanders routinely enforced and encouraged adherence to standards through the use of ROE/LOW smart cards, monthly tactical directives, mandatory monthly training on ROE/LOW, enforcement of timely reporting of RC-South Impression Reports and AR 15-6 investigations, and requiring subordinate leaders to enforce standards. COL Tunnell's biggest critics stated the same, and BG Hodges confirmed this finding in his sworn statement.

c. Whether the SBCT leadership created conditions that allowed and/or encouraged Soldiers to violate Rules of Engagement (ROE) or the Law of Armed Conflict (LOAC/LOW)?

(1) The leadership throughout 5/2 SBCT set conditions that enforced ROE/LOW standards.

(2) However, I found one incident where (b) (6), (b) (7)(C) used a poor choice of words and told (b) (6), (b) (7)(C) "make sure he is dead before you start searching him" during the January 2010 murder of the Afghan local in the village of La Muhammad Kalay. (b) (6), (b) (7)(C) failed to follow up with (b) (6), (b) (7)(C) to ask whether he perceived a threat when he shot the local. (b) (6), (b) (7)(C) also failed to effectively report the incident to the chain of command in a timely manner.

(3) (b) (6), (b) (7)(C) failure to report was an isolated incident. I do not attribute this incident to overall conditions established by the SBCT leadership.

d. Whether the command climate encouraged or impeded appropriate Soldier interaction with Afghan National Army and Police and civilians?

(1) The command climate encouraged appropriate Soldier interaction with the Afghan National Army, Afghan Police, and Afghan Civilians. The SBCT was partnered and routinely trained and conducted missions with the ANSF. Most notably, 2-1 IN BN established the Legion Academy to train both the Afghan Army and the Afghan police.

(2) RC-South's guidance was that all missions would be partnered with ANSF unless the command approved unilateral operations. The SBCT followed RC-South's guidance.

(3) The SBCT purchased fire trucks and established fire stations in their AO.

(4) The BSTB GRD cell conducted numerous Civil Military operations (CMOs) in the SBCT AO. The battalions managed projects and interacted with locals in their AOs frequently. Interaction included the establishment of COPs in villages, participation in Shuras, engagement with local and district governments, and daily interaction with the local populace. The SBCT spent 60 million dollars in CERP, a significant portion of RC-South's CERP funding.

(5) Soldiers in 3/B/2-1 IN did not have appropriate interaction with Afghan locals (allegedly killing locals' chickens and dogs, kicking in doors of homes, being disrespectful to local populace, murdering of Afghan locals, defacing bridge). However, I attribute this to poor leadership within the platoon.

e. Whether unit leadership from the SBCT to platoon level followed reporting procedures and proper procedures during engagements with the enemy?

(1) Yes, throughout the SBCT.

(2) However, I found that improper procedures were implemented during the engagement of a suspected suicide bomber. (b) (6), (b) (7)(C) failed to use proper fire control and distribution during EOF procedures on Highway 1 when his platoon used six to eight Soldiers, including four

M249 SAW gunners, to kill one man who was later found to be unarmed. This was an excessive use of force.

f. Whether the SBCT had verification mechanisms in place to confirm the accuracy of engagement reports and whether they were followed.

(1) Yes, but needs improvement.

(2) The SBCT conducted storyboards; however they did not have a written SOP to establish who developed and approved storyboards prior to submission to higher HQs. I did not find any cases of improper altering or any inappropriate personnel in the approval chain.

(3) Some leaders in the SBCT did not enforce debriefs or AARs after each mission. 3/B/2-1 IN did not conduct platoon AARs or debriefs after missions.

(4) I do not see the need for a specific recommendation to set a standard policy for how storyboards are executed or by whom they are reviewed. This seems too dependent on each situation and personnel within the unit to lock into a certain format or specific approval process. Commanders should continue to execute storyboards and reinforce their value to all levels of command, as well as remind subordinate leaders to follow up with units drafting the storyboards both to confirm the accuracy and clear up any ambiguities, but also to ensure the affected unit learned from the event and adapted as appropriate.

g. Whether any commander or leader – platoon, company, battalion, or brigade – was aware of the alleged actions of Soldiers in 5/2 SBCT who currently are subject to the pending potential courts-martial involving murder, assault, illegal drug use, and related charges prior to those alleged offenses becoming known pursuant to the criminal investigation that began in May, 2010? No.

Based on the evidence available to me in conducting this investigation, to include persons available for interview, my findings are that leaders and commanders, platoon level and above, were unaware of the criminal activity.

h. Whether any commander or leader– platoon, company, battalion, or brigade – should have been aware of the alleged actions of Soldiers in 5/2 SBCT who currently are subject to the pending potential courts-martial involving murder, assault, illegal drug use, and related charges prior to those alleged offenses becoming known pursuant to the criminal investigation that began in May, 2010?

(1) Murders: No. If conducted as alleged, the five accused Soldiers used props to make the murders appear legitimate under the ROE. The platoon leaders were apparently inside homes conducting KLEs and the platoon sergeants were in their Stryker vehicles out of viewing

distance of the Soldiers on the ground. Proper reporting in terms of storyboards was conducted (albeit apparently false), leaving no reason why the troop, battalion, and brigade leadership should suspect misconduct.

(2) Drugs and other misconduct: Yes. Had (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) enforced discipline and standards, been more involved in the health and welfare of the platoon, and gotten more involved with the daily activities of the platoon, and had (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) (troop leadership) resided in vicinity of the platoon, they could have deterred the use of drugs and other misconduct. A greater presence of leadership could have either deterred or caught such misconduct.

i. How frequently did commanders visit and make meaningful contact with the platoon forward operating base of the Soldiers currently subject to the pending potential courts-martial charges, or otherwise provide command oversight during operations?

(1) (b) (6), (b) (7)(C) conducted battlefield circulation (BFC) with the platoon once or twice weekly. As the platoon's deployed company commander, he had frequent daily interaction with members of the platoon and spoke to (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C) daily. Once (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) took over the platoon, there were no changes. (b) (6), (b) (7)(C) also lived on FOB Ramrod with the platoon.

(2) (b) (6), (b) (7)(C) never conducted BFC with the platoon throughout the deployment. The platoon resided on FOB Ramrod with the BN HQs and (b) (6), (b) (7)(C). Because the platoon lived on FOB Ramrod, (b) (6), (b) (7)(C) saw members of the platoon frequently, but there was little meaningful contact.

(3) COL Tunnell never conducted BFC with the platoon or had meaningful contact.

j. Additional finding.

(1) Several individuals interviewed raised concerns over the fact that COL Tunnell had been previously wounded in combat. While most simply stated they had thought about it and later dismissed it, one stated that COL Tunnell had stated privately that he was "after revenge" as a result. Apparently, he never described for whom or how revenge would or could be sought. (Exhibit 8)

(2) Whether revenge may or may not have been a motivating factor for COL Tunnell would be difficult to determine. Certainly, there was nothing explicit from COL Tunnell or elsewhere in the SBCT to indicate he or the SBCT acted out of revenge. If anything, the evidence shows that COL Tunnell used his experiences as a motivating factor to do all he could to prevent casualties within his SBCT. (Exhibit 1, 5, 6) It may explain the lengths to which he stood by his tactical philosophy even in the face of the conflict it created with his superior and

subordinate officers. He felt that the counter guerrilla strategy allowed the SBCT to better find and kill the enemy before the enemy killed them. Given the findings on his adherence to the ROE, any concerns that a motivation of revenge permeated through how the SBCT fought are not supported by the evidence.

5. Recommendations.

a. COL Tunnell, Brigade Commander

(1) COL Tunnell is no longer in command. If still in command, I would recommend that COL Tunnell be relieved of his responsibilities as a Brigade commander for the following reasons:

(a) The loss of confidence by his superiors in his ability to command from his failure to follow instructions and intent, frequently requiring a heavier involvement of senior officers than should be necessary for a Brigade commander. (Exhibit 13)

(b) His inability to get along with superiors and peers, indicating a lack of maturity needed to command at senior levels.

(c) His failure to adequately communicate his intent to his subordinates. The counter guerrilla strategy he envisioned for his SBCT was the fundamental aspect of his command. He knew that this strategy was going against the mainstream counterinsurgency doctrine that his subordinates had learned in their classrooms and experienced in previous deployments and yet he did not invest the time and attention to ensure that even his key subordinate leaders understood his "outside the box" philosophy. His lack of interaction with subordinates prevented him from both delivering his message and from understanding that there was frustration and confusion as a result.

(2) I do not believe that any adverse administrative action or worse is appropriate. I did not find that any of his actions amounted to misconduct. When people fail in leadership positions in the Army, they are relieved from such duties as a consequence. Again, COL Tunnell already departed. However, given the reasoning mentioned above for which I would have recommended relief from command, I do recommend COL Tunnell receive counseling to inform him of the specific failings from his time in command.

b (b) (6), (b) (7)(C)

(1) I recommend that (b) (6), (b) (7)(C) receive a General Officer Memorandum of Reprimand (GOMOR) for dereliction of duty for not enforcing standards within 3/B/2-1 IN that led to a deterioration of standards and discipline in his platoon.

(2) I further recommend (b) (6), (b) (7)(C) receive a GOMOR for undisciplined fire control that resulted in an excessive use of force when 6 to 8 Soldiers fired, including four 249 SAW gunners, on one unarmed Afghan local.

c. (b) (6), (b) (7)(C)

I recommend that (b) (6), (b) (7)(C) receive a GOMOR for dereliction of duty for not enforcing standards within 3/B/2-1 IN that led to a deterioration of standards and discipline in his platoon.

d. (b) (6), (b) (7)(C)

I recommend that (b) (6), (b) (7)(C) receive a GOMOR for dereliction of duty, both in using poor language on the objective at La Muhammad Kalay to communicate what he meant, and for failing to follow-up with (b) (6), (b) (7)(C) and others to review the shooting.

e. (b) (6), (b) (7)(C)

I recommend considering a GOMOR for (b) (6), (b) (7)(C) pending any additional information that may come out of the criminal investigation or courts-martial process. Due to the ongoing investigations, I was not able to interview (b) (6), (b) (7)(C) on this particular matter, and thus cannot determine what he was observing/perceiving when he apparently fired on the individual. Given the information available to me, it is doubtful there was a threat.

f. (b) (6), (b) (7)(C)

(1) I recommend that (b) (6), (b) (7)(C) receive a Letter of Concern for using improper language to articulate his intent when telling (b) (6), (b) (7)(C) that, "you'd better find something" during the EOF incident on Highway 1.

(2) I further recommend that (b) (6), (b) (7)(C) receive a Letter of Concern for exercising poor judgment in not living amongst his Soldiers in order to enforce standards and discipline within the troop living area on FOB Ramrod. While technically 3/B/2-1 IN was only OPCON to (b) (6), (b) (7)(C) was in a better position to enforce standards than the Bravo 2-1 IN leadership due to the physical location of the units.

g. (b) (6), (b) (7)(C)

I recommend that (b) (6), (b) (7)(C) receive a Letter of Concern for exercising poor judgment in not living amongst his Soldiers in order to enforce standards and discipline within the troop living area on FOB Ramrod. While technically 3/B/2-1 IN was only OPCON to (b) (6), (b) (7)(C) was in a better position to enforce standards than the Bravo 2-1 IN leadership due to the physical location of the units.

h. (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C)

I recommend no action for the Battalion leadership. Upon receipt of information of indiscipline within 3/B/2-1 IN, the leadership removed both the platoon sergeant and platoon leader.

i. (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C)

I do not find (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) derelict in their duties. The two took over the platoon in mid-March and recognized that the platoon had problems and began enforcing standards and discipline immediately. Feedback from those interviewed stated that the new platoon leadership made an immediate positive impact. I found no indication that this new leadership team had any knowledge of alleged criminal activity.

j. Commanders/Supervisors of COL Tunnell

Nothing in my investigation indicated any dereliction by action or omission by any of COL Tunnell's supervisors. Prior to deployment, there was little brought to the attention of I Corps leadership that would indicate command climate or any other issues within the Brigade. At most, he was viewed as not getting along well with fellow Brigade commanders and I Corps staff personnel. Only when the SBCT conducted its pre-deployment training at NTC were COL Tunnell's leadership made aware of issues stemming from his tactical approach. Even then, the only indication of a problem his leadership had were that he was not getting along with the NTC cadre over differing approaches to the training and his tactical approach. LTG Johnson counseled COL Tunnell on getting through the rotation, and he was able to get the Brigade trained for deployment.

Once COL Tunnell was deployed, his supervisors were the previously mentioned Dutch and then British commanders of RC South, and the US Army general officers serving as their Directors of Operations. While the NATO relationship certainly would not have precluded any action being taken, it also did not help. His first commander only had limited time in theater with him. Upon transfer of RC South leadership, the relationship between the command and COL Tunnell soured, as mentioned above, as he continually fought with them about the general employment of his Brigade, as well as challenging almost every order from the command. From this attitude and inability to move past the professional differences, BG Hodges stated he had lost faith in COL Tunnell's ability to command. BG Hodges spent a considerable amount of time with COL Tunnell after his relationship with MG Carter deteriorated; however, that relationship similarly worsened as COL Tunnell continued to challenge his higher command's orders. This could have triggered a move to relieve COL Tunnell. The relationship with and actions of COL Tunnell indicated that his superiors could have moved to have him relieved, but certainly did not lay out a situation where they had to relieve him. There was no specific allegation of misconduct

AFBL-DCG

SUBJECT: Findings and Recommendations: AR 15-6 Investigation on 5/2 SBCT

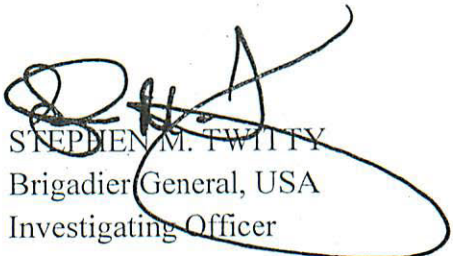
against COL Tunnell. Furthermore, even when COL Tunnell initially challenged orders, he ultimately complied with them. Additionally, the battalions in 5/2 SBCT appeared to execute missions in accordance with counterinsurgency doctrine effectively, even better in comparison to other units in theater.

Considering these factors, I find the actions of his superiors were reasonable. I recommend no action against any of COL Tunnell's superiors during the time-periods covered in this investigation.

k. Inspections

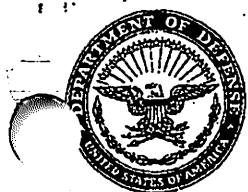
Commanders at all levels should be reminded of the importance of conducting periodic inspections, including both urinalysis testing as well as health and welfare inspections, in order to maintain good order and discipline. While executing these tasks during deployment may seem like a distraction from the mission, it is during deployment when indiscipline can have its most detrimental impact on a unit. My sense is that many commanders have not emphasized these areas enough, as our Army continues to be deployed.

6. The POC for this memorandum is the undersigned at (b) (6), (b) (7)(C)



STEPHEN M. TWITTY
Brigadier General, USA
Investigating Officer

B



DEPARTMENT OF THE ARMY
HEADQUARTERS, I CORPS
BOX 339500 MS 1
JOINT BASE LEWIS-MCCHORD, WASHINGTON 98433-9500

REPLY TO
ATTENTION OF:

AFZH-CG

18 October 2010

MEMORANDUM FOR BG Stephen M. Twitty, Special Assistant to the Senior Commander,
Fort Bliss, TX 79916-7001

SUBJECT: Appointment as Investigating Officer

1. You are hereby appointed as an Investigating Officer (IO) pursuant to Army Regulation (AR) 15-6 to conduct an informal investigation into issues of command responsibility/accountability of the then 5-2 Stryker Brigade Combat Team (SBCT) and related issues. You will specifically focus on, though you are not limited to, the period when the 5-2 SBCT deployed to Afghanistan in 2009-2010.
2. You will investigate issues of command responsibility/accountability and inquire into overall command climate from the brigade level to the platoon level during the unit's deployment. You will look at whether command climate encouraged or impeded good order and discipline of 5-2 SBCT Soldiers. Your investigation, at a minimum, will also inquire into the following general and specific matters:
 - a. Was any commander or senior leader within the unit - company, battalion, brigade - aware of or should have been aware of the alleged actions of Soldiers in 5/2 SBCT who currently are subject to the pending potential courts-martial involving murder, assault, illegal drug use and related charges prior to those alleged offenses becoming known pursuant to the criminal investigation that began in May, 2010?
 - b. Examine commanders/senior leaders responsibility/accountability for the alleged murder, assault, illegal drug use, and related offenses that are currently pending potential courts-martial charges.
 - c. How frequently did commanders visit and make meaningful contact with the platoon or forward operating base of the Soldiers currently subject to the pending potential courts-martial charges, or otherwise provide command oversight during operations?
 - d. Assess whether the command climate encouraged or impeded appropriate application of targeting criteria, compliance with the laws of armed conflict, and adherence to standards and discipline expected of United States Soldiers. Did actions of the unit leadership create conditions that allowed and/or encouraged Soldiers to violate Rules of Engagement or the law of armed conflict? In determining such appropriate compliance, you should focus on specific incidents where there may have been ROE or law of armed conflict violations.

e. Examine the reporting procedures and reporting requirements utilized for engagements. Did unit leadership follow these procedures? What, if any, verification mechanisms were in place to confirm the accuracy of these reports?

f. Assess whether the command climate encouraged or impeded appropriate Soldier interaction with Afghan civilians, Afghan National Army personnel, and Afghan National Police personnel.

3. In addition to specifically addressing the above assessments, provide findings and recommendations that include what corrective actions, if any, are required. You will also include, if necessary, recommendations for disciplinary action.

4. Your investigation will be conducted in accordance with AR 15-6. Previous CID, AR 15-6, and other investigations may have been conducted into these matters and you may utilize them as part of your investigation. You may also utilize the information gathered in 5-2 SBCT (to include 2-2 SBCT) assessments, to include command climate surveys and other similar information. However, all such findings and recommendations will be reached based upon your independent evaluation of all available and relevant information. During your investigation you will interview and/or question numerous witnesses as well as obtain documentary evidence. You must obtain sworn statements from all witnesses. In the event that you are unable to obtain a sworn statement from a witness, prepare a detailed memorandum for record (MFR) memorializing the witness interview and explaining why a sworn statement was not obtained. As for documentary evidence, obtain original documents whenever possible. If originals are unavailable, obtain accurate, legible copies and prepare an MFR documenting where the original is maintained and why it was not obtained.

5. If, prior to or during any interviews, you suspect persons subject to the UCMJ of committing an offense, you must advise them of their Article 31 rights, orally and in writing, before any interview or questioning may commence or continue. If persons being interviewed are DA or Federal civilian employees, you must first determine whether they are covered by a collective bargaining agreement or a member of a union, in which case they have the right to have a union representative present during the interview. Employees may waive this right.


6. Upon completion of your investigation, you will make findings of fact regarding the allegations and recommend appropriate action based on your findings. Record your findings and recommendation on DA Form 1574. The completed DA Form 1574 will be accompanied by all evidence obtained during your investigation as well as a separate chronology listing all significant activity from initial appointment as Investigating Officer to completion of the investigation, to include the granting of any extensions or delays to complete the investigation.

7. POC is (b) (6), (b) (7)(C) Administrative Law Division, at (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C). He will be your point of contact for any legal advice. Upon completion of your investigation, submit the entire investigation to (b) (6), (b) (7)(C) for legal

AFZH-CG

SUBJECT: Appointment as Investigating Officer

review. Your investigation is to be completed within 30 days of receipt of this memorandum. I must approve any delays beyond these 30 days.


CURTIS M. SCAPARROTTI
Lieutenant General, USA
Commanding

C

Thur, 21 Oct 2010	Focus			
	Name	Position		
0830-0900	BG Tremblay	C of S, I Corps		
0900-1000	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)		
1015-1115				
1115-1300	BG Miles			
1300-1400	(b) (6), (b) (7)(C)			
1400-1500				
1500-1600				

Interview Schedule for BG Twitty

Tue, 26 Oct 2010	Focus			
	Name	Position in 5-2 SBCT	Time period in position	Current position
0800-0900				
0900-1000				
1000-1100				
1100-1200				
1200-1300	LUNCH			
1300-1400	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)		
1400-1500				
1500-1600				
1600-1700				

Interview Schedule for BG Twitty

Wed, 27 Oct 2010	Focus - (b) (6), (b) (7)(C)			
	Name	Position in 5-2 SBCT	Time period in position	Current position
0800-0900	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	May 08 - Feb 09 & Feb 09 - Jul 10	(b) (6), (b) (7)(C)
0900-1000			Jan 10 - Aug 10	
1000-1100			Jan 10 - Jul 10	
1100-1200			Jun 09 - Jul 10	
1200-1300	LUNCH			
1300-1400	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Jun 09 - Jul 10	(b) (6), (b) (7)(C)
1400-1500			Jun 09 - Jul 10	
1500-1600			May 09 - Jul 10	
1600-1700			Jun 09 - Jul 10	

Interview Schedule for BG Twitty

Thurs, 28 Oct 2010	Focus - (b) (6), (b) (7)(C)			
	Name	Position in 5-2 SBCT	Time period in position	Current position
0800-0900	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Dec 09 - Jul 10	(b) (6), (b) (7)(C)
0900-1000			Jun 09 - Jul 10	(b) (6), (b) (7)(C)
1000-1100			May 09 - Aug 10	
1100-1200			Jun 09 - Jul 10	
1200-1300	LUNCH			
1300-1400	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	May 09 - Aug 10	(b) (6), (b) (7)(C)
1400-1500			Jul 09 - present	(b) (6), (b) (7)(C)
1500-1600			Dec 09 - present	
1600-1700			Jul 09 - Dec 09 & Dec 09-Jul 10	
1700-1800			Dec 09 - Jul 10	

Interview Schedule for BG Twitty

FRI, 29 Oct 2010	Focus - (b) (6), (b) (7)(C)			
	Name	Position in 5-2 SBCT	Time period in position	Current position
0600 - 0700	(b) (6), (b) (7)(C)		May 08 - Mar 10	(b) (6), (b) (7)(C)
0700 - 0800			Jan 08 - Present	
0800-0900			Mar 09 - Present	
0900-1000			Jun 08 - Jul 10	
1000-1100			Mar 09 - Present	
1100-1200			May 08 - Jul 10	
1200-1300		LUNCH		
1300-1400	(b) (6), (b) (7)(C)			(b) (6), (b) (7)(C)
1400-1500				

Interview Schedule for BG Twitty

Tues, 2 Nov 2010	Focus	(b) (6), (b) (7)(C)			
	Name	Position in 5-2 SBCT	Time period in position	Current position	
0800-0900	(b) (6), (b) (7)(C)		Nov 07 - Jul 10	(b) (6), (b) (7)(C)	
0900-1000			Dec 07 - Jul 10		
1000-1100			Nov 07 - Present		
1100-1200			Jun 09 - Present		
1200-1300	LUNCH				
1300-1400	(b) (6), (b) (7)(C)		May 07 - Jul 10	(b) (6), (b) (7)(C)	
1400-1500			Oct 07 - Present		
1500-1600			Dec 07 - Jul 10		
1600-1700			Nov 07 - Present		

Thurs, 4 Nov 2010	Focus	(b) (6), (b) (7)(C)		
	Name	Position in 5-2 SBCT	Time period in position	Current position
0800-0900	(b) (6), (b) (7)(C)		Jun 09 - Jan 10	
0900-1000			Nov 08 - Present	
1000-1100			Jan 09 - Oct 10	
1100-1200			Jan 10 - Present	
1200-1300	LUNCH			
1300-1400	(b) (6), (b) (7)(C)		Jul 09 - Apr 10	(b) (6), (b) (7)(C)
1400-1500			Jul 09-Jul 10	
1500-1600			Jul 09 - Apr 10	
1600-1700			Apr 10 - Jul 10	

Fri, 5 Nov 2010	Focus: (b) (6), (b) (7)(C)		
	Name	Position in 5-2 SBCT	Time period in position
1000-1100	(b) (6), (b) (7)(C)		Jun 09 - Mar 10
1100-1200			Jun 09 - Mar 10
1200-1300			Jun 09 - Present
1300-1330			Jan 09 - Mar 09
1330-1400			Oct 09 - Present
1400-1430			Nov 09 - Mar 10
1430-1500			Oct 09 - Present
1500-1600			Aug 07 - Nov 10

Mon, 15 Nov 2010	Focus - (b) (6), (b) (7)(C)			
	Name	Position in 5-2 SBCT	Time period in position	Current position
0800-0900	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Dec 07 - Present	
0900-1000			May 08 - Dec 09	(b) (6), (b) (7)(C)
1000-1100			Jun 09 - Jul 10	
1100-1200				
1200-1300	LUNCH			
1300-1400				
1400-1500				
1500-1600				
1600-1700				

	Name	Position in 5-2 SBCT	Time period in position	Current position
	BG Ben Hodges	RC South		
	MG (P) John Johnson	DCG, I Corps		
	BG Randy Dragon	NTC		
	COL Harry Tunnell	5/2 SBCT CDR		
	LUNCH			
	(b) (6), (b) (7)(C)			

[illegible]

D

(b) (5)

E

1

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION BLDG 1310, Fort Knox, Kentucky 40121	2. DATE (YYYYMMDD) 2010/11/16	3. TIME 1500	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME TUNNELL, HARRY D.	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS O6/AD	
8. ORGANIZATION OR ADDRESS Human Resources Command, Fort Knox, Kentucky 40122			

9. I, COL HARRY TUNNELL, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Explain the circumstances surrounding (b) (6), (b) (7)(C) curtailment in command:

Personal observation, inspection of the implementation of UCMJ, command climate surveys, and other tools indicated that (b) (6), (b) (7)(C) leadership in 2-1 IN contributed to a poor command climate throughout the battalion. As a brigade commander I considered several options regarding (b) (6), (b) (7)(C) and eventually decided to let him complete command but not recommend his command extension for a deployment to combat (at that time we were scheduled to deploy to Iraq). I recommended and requested to extend the other five battalion commanders for the deployment and not (b) (6), (b) (7)(C). I Corps endorsed the request (the chain of command was aware of the problems with (b) (6), (b) (7)(C)).

(b) (6), (b) (7)(C) was nonetheless extended along with the other battalion commanders (I believe that the CG, HRC extended (b) (6), (b) (7)(C) but you will have to check this). At this point we would now be, according to HRC guidance, required to request a curtailment of (b) (6), (b) (7)(C) command in order to prevent his deployment to combat as a battalion commander (see the curtailment request). This was completed and (b) (6), (b) (7)(C) subsequently curtailed. Contrary to (b) (6), (b) (7)(C) current claims in the media that he was removed because of disagreements over approaches to counterinsurgency he was actually curtailed because of his contemptuous treatment of subordinates and toxic leadership that resulted in a battalion characterized by poor morale, poor discipline, and poor regard for others. (b) (6), (b) (7)(C) was routinely counseled throughout his approximately two years in command so he is aware of why he was curtailed in command.

Therefore the new battalion commander, (b) (6), (b) (7)(C) was assigned much later than operationally necessary. Consequently, he could not command the battalion during the MRE at NTC, and was forced to assume command while the battalion was performing final pre-deployment actions such as leave, packing containers, outloading, etc. Despite the command challenges (b) (6), (b) (7)(C) proved to be an outstanding leader, unfortunately he never had opportunity to learn about discipline shortfalls in the battalion before deployment to combat.

//////////////////////////////////SEE CONTINUATION SHEETS//////////////////////////////////

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT HDT	PAGE 1 OF 11 PAGES
-------------	--	--------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

(continuation sheets)

Explain the relationship between counter guerrilla operations and counterinsurgency: Para 3a(1)

According to FM 90-8 counter guerrilla operations are appropriate to use against many kinds of irregular forces, to include those conducting military operations in support of an insurgency. Counterinsurgency is a strategic framework and counter guerrilla operations are one of several complementary means at the tactical level of war to execute military operations in support of counterinsurgency.¹ For example in the United States' own War of the Rebellion— an insurgency by Confederate states—most Union military operations were characterized by conventional military maneuver and counter guerrilla operations were complementary operations conducted by certain units throughout the various theaters of operation. Insurgencies are defined by political purpose and not tactics so a variety of tactics are employed fighting them based upon the type of enemy tactical formations one expects to encounter and the capability of one's own organization. Conventional maneuver, counter guerrilla operations, counterterrorism operations, etc. provide a tactical framework that's all. Counterinsurgency, on the other hand, is not tactics.

FM 90-8, the counter guerrilla operations doctrine when the SBCT was established, focused on brigade and below operations. It provided a framework within which a commander could realistically prioritize resources, plan and execute training, and design feasible combat operations.

Historically counter guerrilla operations are part of a long-established military framework for US Army forces. (b) (6), (b) (7)(C) book written for the US Army Center for Military History provides some context (<http://www.history.army.mil/catalog/pubs/70/70-66.html>). The last US Army doctrine specifically devoted to counter guerrilla operations, FM 90-8, is identified as a related publication in FM 3-24 (p. Military References-2) and the term remains in current US Army doctrine in FM 3-24.2, the US Army manual that superseded FM 90-8, see paragraph 1-5 (p. 1-2).

Counter guerrilla operations is a doctrinal concept that pre-dates September 11, 2001 and still exists in doctrine today. In addition to US Army doctrine counter guerrilla operations are defined in the DOD Dictionary of Military Terms as "Operations and activities conducted by armed forces, paramilitary forces, or nonmilitary agencies against guerrillas." Counter guerrilla operations are US Army and DOD doctrine.

Counter guerrilla operations can employ the same kind of capabilities that FM 3-24 identifies as important, but employ them in a manner consistent with current US Army organization and capability (see "Bulls Eye Chart" and JFQ Issue 51, 4th Qtr 2008, 114-116). A video of company EXEVALs during which you see one of our

¹ When FM 3-24 was published counterinsurgency was defined in the DOD Dictionary of Military and Associated Terms as "Those military, paramilitary, political, economic, psychological, and civic actions taken by a government to defeat insurgency." The definition has since been changed to "Comprehensive civilian and military efforts taken to defeat an insurgency and to address any core grievances."

Colonel Harry D. Tunnell Statement, November 16, 2010

(continuation sheets)

locally trained Language Enabled Soldiers acting as an interpreter for a company commander is included.

How did FM 3-24 increase risk to the force:

Counterinsurgency operations have a valuable role in American military art and science. FM 3-24; however, is not reflective of an American tactical, operational, or strategic framework for counterinsurgency. Soldier's lives are routinely put at hazard because the doctrine has not been written within a context of American military art and science, organization, or capability. US Army forces are not organized, trained, or equipped to implement the doctrine and Americans are not culturally suited to accept predominantly European colonial and imperial tactical, operational, and operational practices—the foundation upon which FM 3-24 rests. *

Many of FM 3-24's drafters do not have much significant practical military experience applying American military art and science in training or combat. Many of the people involved in the process have academic credentials but lack practical experience about American military activity and they prefer to rely on concepts from European colonial and imperial military activity to write American military doctrine (see Small Wars Journal interview with (b) (6), (b) (7)(C) in which he states that a (b) (6), (b) (7)(C) a French officer, was the "single biggest influence on FM 3-24": [\(b\) \(6\), \(b\) \(7\)\(C\)](http://smallwarsjournal.com/blog/2010/11/interview-with-(b) (6), (b) (7)(C)) *

It is noteworthy that one of the common attributes of American, Afghan, and Iraqi history is *the rejection of European colonial and imperial action*.

Regarding the practical experience of contributors, we can use (b) (6), (b) (7)(C) a retired Australian Army Lieutenant Colonel who contributed to FM 3-24 and has been an advisor to Secretary of State Condoleezza Rice, General Petraeus, and most recently General Stanley McChrystal in Afghanistan, for comparison. The Australian Army's permanent (regular) strength is a little under 30,000 personnel and the Army does not have much highly sophisticated equipment such as helicopters, Abrams tanks, etc. (One US Army HBCT has about as many Abrams tanks as the entire Australian Army.) It is typical that company command first occurs at the rank of Major in Commonwealth forces such as the Australian Army. Furthermore, the Australian and other armies do not have a comparable ability to the US Army to conduct highly intense training such as maneuver force-on-force training at CTCs, maneuver live fire exercises from squad through brigade level, etc.

A post company command Infantry captain in the US Army before September 11, 2001 had about the equivalent leadership experience as (b) (6), (b) (7)(C) and probably had more experience than he did dealing with sophisticated equipment and operating in high stress training and deployed environments. The consequence of relying on a retired Australian Army Lieutenant Colonel for strategic and doctrinal advice means that many of our senior leaders have been advised by someone with the

(continuation sheets)

equivalent practical experience of a US Army Infantry captain.² The other contributors to our counterinsurgency doctrine have even less practical experience in many respects than (b) (6), (b) (7)(C) or our generic Infantry captain.

The lead writer of FM 3-24 is (b) (6), (b) (7)(C) a War College history teacher and the Director of the US Army Military History Institute. (b) (6), (b) (7)(C) is a retired US Army officer who spent a considerable amount of his career in academia. He has limited practical experience applying the concepts he espouses in training, let alone a life-and-death combat environment. (b) (6), (b) (7)(C) also acknowledges the emphasis in FM 3-24 on lessons from colonial and imperial military leaders.³

(b) (6), (b) (7)(C) a leader in the development of the Army's Human Terrain System program and co-author of the FM 3-24 chapter on intelligence, noted during discussion as a member of a November 17, 2006 American Anthropological Association panel that colonialism was used as a model for COIN.⁴ It is noteworthy that several of (b) (6), (b) (7)(C) publications continue to refer to lessons from colonial and imperial military activity.⁵ (b) (6), (b) (7)(C) has no appreciable experience in military intelligence or military art and science.

It is also germane to address the general research quality of FM 3-24 since part of its allure is the academic credentials of its authors. The contributors to the manual include contractors, academics, or others with little practical American military experience. It contains plagiarized material from academic and military journals and many of the ideas it presents about operational design, intelligence, and information operations have little foundation in prior doctrine and are not descriptive of wide-spread best practice.⁶

² Post company command Infantry captains today are often far more experienced than their pre-September 11, 2001 predecessors because they may have served multiple times in combat, commanded multiple companies, and employed extremely sophisticated IT, ISR, biometric, and other technology in support of ground combat operations.

³ (b) (6), (b) (7)(C) "Minting COIN: Principles and Imperatives for Combating Insurgency," *Air & Space Power Journal*, Winter 2007, 1:

[http://www.airpower.maxwell.af.mil/airchronicles/apj/apj07/win07/\(b\) \(6\), \(b\) \(7\)\(C\).html](http://www.airpower.maxwell.af.mil/airchronicles/apj/apj07/win07/(b) (6), (b) (7)(C).html).

(b) (6), (b) (7)(C) "Towards mercenary anthropology?: The new US Army counterinsurgency manual FM 3-24 and the military-anthropology complex," *Anthropology Today*, Vol. 23, No. 3 (June 2007): 15, 17.

⁵ "Anthropology and Counterinsurgency: The Strange Story of their Curious Relationship" in the March-April 2005 *Military Review* and "The Object Beyond War: Counterinsurgency and the Four Tools of Political Competition" in the January-February 2006 *Military Review* are such examples.

⁶ For example lines of operation are plagiarized from Major General Peter W. Chiarelli and Major (b) (6), (b) (7)(C) *Military Review*, "Winning the Peace: The Requirement for Full-Spectrum Operations," July-August 2005, 4-17; Appendix A is plagiarized, see (b) (6), (b) (7)(C) Ph.D., Australian Army, *Military Review*, "Twenty-eight Articles": Fundamentals of Company-level Counterinsurgency," May-June 2006, 103-108 (however, FM 3-24 cites another (b) (6), (b) (7)(C) essay as the source "Countering Global Insurgency." I could not find the specific work cited in the

(continuation sheets)

In Afghanistan many leaders tried to implement the concepts of FM 3-24 without reasonable analysis and risk to the force was thus increased unnecessarily and inappropriately. MajGen Carter, a tactical commander in his role as the RC (S) commander, was more concerned with social, political, and economic analysis than enemy formations which resulted in a low priority for analysis of enemy maneuver by RC (S). This increased risk to the SBCT because so much about the enemy was unknown and correspondingly uninfluenced by our higher headquarters (see Commander RC (S) PowerPoint slide).

There is a long history of American military success employing counterinsurgency operations, our doctrine supports the concept, units are organized and equipped to conduct such operations, and we had designed a training program for the SBCT that would make the successful implementation of counterinsurgency operations possible. ✓

As a final point, the current counterinsurgency doctrinal framework cannot be reliably implemented and this is easy to demonstrate with a short scenario. The doctrine requires one to address "any core grievances" which ignores the notion that there may be core grievances so despicable they should not be tolerated. In America's own history the slave labor system that underpinned the South's economic framework was a cultural paradigm that could not be reconciled and resulted in the War of the Rebellion. There are a plethora of Afghan cultural behaviors that Americans have left unresolved, among these are widespread misogyny and pedophilia. A core grievance of the Taliban is that the empowerment of women is inconsistent with Islam. The repressive measures instituted by the Taliban when they were in power are already well documented. As a result of the role of women in Afghan society young boys are often preferred as objects of sexual desire (http://articles.sfgate.com/2010-08-29/opinion/22949948_1_karzai-family-afghan-men-president-hamid-karzai) and (http://www.pbs.org/wgbh/pages/frontline/dancingboys/view/?utm_campaign=viewpage&utm_medium=grid&utm_source=grid). This is an example of a core grievance that cannot be peacefully reconciled.

Thoughts on the MRE at NTC and perception of what happened:

Many of the training objectives addressed in our 180-day letter were not supported by NTC leaders. When we arrived at NTC the leadership had not finalized the plan for our live fire training and began to insist that we should not conduct a brigade maneuver live fire exercise for a variety of reasons. NTC leaders were not confident they could conduct the training and were unwilling to

manual but a Web version is: [http://smallwarsjournal.com/documents/\[b\] \(6\), \(b\) \(7\)\(C\).pdf](http://smallwarsjournal.com/documents/[b] (6), (b) (7)(C).pdf)); the military has a doctrinal framework for Information Operations (IO) but the concepts for counterinsurgency IO have little basis in best practice or doctrine yet they are clearly given the status of both in FM 3-24, *Counterinsurgency Operations* (Washington, DC: U.S. Government Printing Office, 2006), 5-8 – 5-11. The [b] (6), (b) (7)(C) essay (cited in endnote 4) highlights enough academic plagiarism to detract considerably from the credibility of FM 3-24. Furthermore, even if authors gave permission to use their material that is not relevant; the use of such material is misleading because doctrine is most often a compilation of best practice or some deliberate analysis and these essays clearly do not meet those standards.

Colonel Harry D. Tunnell Statement, November 16, 2010

(continuation sheets)

admit that they were unprepared. We had asked for an evaluation of our digital skills and that was not forthcoming. NTC leaders tried to force us to conduct STX training even though we asked to conduct a complete rotation of force-on-force and live fire without STXs. FM 90-8 was still current doctrine at the time and NTC was not supportive of the fact that it was our doctrinal framework. The out of sector mission that we asked to conduct was, however, a well-supported training event. That is the only activity that met our training objectives.

Book deals, lessons learned, unit identity, etc.:

Things that I have personally written, if submitted for publication, have been to publications within DOD. We did many unique organizational and network actions and we wanted to capture these so that they could be shared throughout the DOD. Due to ARFORGEN, when a unit returns from combat it is virtually disbanded and reestablished using an MTOE that does not reflect lessons learned from the most recent deployment.

Occasionally unit leaders were tasked to publish articles in professional journals (see Fires Bulletin May-June 2010, "Digital air-ground integration," 15-17 by (b) (6), (b) (7)(C) for an example: http://sill-www.army.mil/firesbulletin/2010/may_june_2010/mayjune2010.pdf) and some leaders independently used online journals such as the Small Wars Journal. We conducted interviews, invited people to the unit to record impressions from small unit leaders, had a CALL representative deployed for the year, asked the Center for Military History to send a historian to Afghanistan for a few weeks, etc.

Regarding unit identity, some parts of the unit identity were done through contest--the brigade symbol with the helmet and tribal stripes is the result of a unit design contest for which the winner was awarded an AAM. We considered emphasizing our counterinsurgency training and the fully networked capability of the brigade (modifying the brigade letterhead for example) and we used company streamers, etc.--all of these are fairly routine esprit de corps activities in my military experience. However, we realized that many of our efforts were constantly misunderstood so we discarded most of them. We tried not to be stuck on doctrine to the point of dysfunction and in our long range strategy for Afghanistan we specifically addressed our need to change (see long range strategy for more detail):

The current competencies of the brigade are centered on tactical operations and staff processes. There is innovation that occurs with the high level of tactical proficiency, enabling the EPLRS network, and improved battle command. The MRE demonstrated that these types of products and services are often not understood outside of the SBCT, may intimidate Tier II personnel, and do not create bonding with the Tier III end users. Therefore, the brigade must design a plan to implement a Total Customer Solutions strategy as soon as operations in Afghanistan begin.

HDT

(continuation sheets)

Highlight battlefield circulation:

We reorganized the AT company to conduct mobile command post operations. The company was configured into two assault command post (ACP) platoons and a company HQ. I used ACP 1 and the DCO ACP 2. I spent time with every maneuver company, used the ACP to C2 brigade offensive operations, and patrolled throughout the brigade's operational areas of Zabul, Kandahar, and Helmand Provinces. We would typically stay with a company at its COP, patrol base, or patrol with the company commander. (see Task Force Stryker Network-Centric Warfare draft case study for detail on ACP organization and use.)

Removal of (b) (6), (b) (7)(C)

Para 3 i (4)

(b) (6), (b) (7)(C) company had the highest rate of KIA in the brigade. Early on the ACP spent the night at the company outpost and at a platoon patrol base. Mortars were not in position properly, trash was throughout the company area, and soldiers were sleeping in the dirt. It was at that point that we became concerned about the company leadership. I diverted (b) (6), (b) (7)(C) from one company change of command to take command of C/1-17 IN. The company did not have a single soldier KIA for the remaining 7 months or so of the deployment.

NATO Command Climate:

Para 3 h, para 3 h 2

There was friction from the start and we worked very hard to change this and develop a positive relationship with the NATO command in RC (S). We considered this important enough that it was a large part of our long range strategy. Furthermore, we did not keep this a secret and that is why the long range strategy document is unclassified. We gave it to everyone that we possibly could—NATO, reporters, etc. Under the Dutch commander, MajGen DeKreuif, things seemed to work out and we developed a positive relationship with the commander, CSM, and staff.

Things did not work well under UK leaders. For example the UK Commander, MajGen Carter, briefed a concept to me at Fort Lewis before deployment to have the SBCT secure main routes on the road—this was in Spring/Summer 2009. When he took command in November 2009 he implemented as much of the plan as he could even though the circumstances had changed significantly with the introduction of TF Leatherneck and TF Stryker into RC (S). The fact that MajGen Carter had not modified his plan before arrival indicates that he did not seriously consider the enemy situation before implementing his change—he had a plan and he was going to execute the plan regardless of the circumstances that existed at the time.

*

*

The relationship with BG Nicholson was inconsistent. He was very supportive in many ways but he also framed operations in RC (S) within the context of his personal experiences as a brigade commander in RC (E). He continually wanted us to employ an operating pattern that was similar to his as a brigade commander in RC (E)—particularly regarding developing relationships with tribal leaders, etc. (We had invested a substantial amount of resources in culture, negotiation, and human dimension training throughout the SBCT during the two years preceding deployment so we had a much different capability than BG Nicholson had as a brigade commander. I personally had regional training before deployment such as

HDT

(continuation sheets)

the 1-year NWC South Asia studies program.) BG Nicholson also intimated several times that I could be subject to relief from LTG Rodriguez which did not help to develop a positive relationship. *

The relationship with BG Hodges started out well but deteriorated as time progressed. As a DCG for MajGen Carter he was obligated to support the commander's decisions. From our unit's viewpoint MajGen Carter's decisions were often tactically unsound—his orders included tactical tasks to "discombobulate" the enemy or place the enemy "on the horns of a dilemma." MajGen Carter also had a cavalier attitude toward the lives of his subordinates, particularly due to his emphasis on "courageous restraint" whereby he directed that our soldiers assume extreme risk in order to prevent any civilian casualties. "Zero" was specifically stated as the standard for civilian casualties regardless if it resulted in the death of coalition soldiers. The friction between UK personnel and SBCT personnel invariably caused friction with BG Hodges as he tried to support the RC (S) commander. Para 3h2 *

Refused to allow people to use the word COIN:

I do not remember restricting the use of the term COIN. Members of the brigade used the term in public and in essays and articles.

Discuss the retention of Captains:

There was a period when the US Army was having difficulty retaining Captains and we were required to routinely report our retention rate of Captains. You will have to check the statics for the precise percentage but ours was over 90% which was a very high retention rate.

Relationship with LTG Jacoby and MG Johnson:

The relationship with these officers was professional and they resourced the brigade's training and preparation for combat.

Casualties compared to other maneuver units: Para 4 j(1)

This will have to be verified against a database such as icasualties.org or another reliable data source. During our period in RC (S) as best as could be determined from Battle Update Briefs, unit reporting, etc. we had a lower number of personnel KIA when compared to most of the major maneuver task forces such as TF Kandahar (with US units included), TF Helmand, and TF Leatherneck. Even though these units were frequently much larger in raw numbers they were actually comparable in the number of maneuver combat battalions, the amount of terrain in task force operational areas, and we operated in or near all of their areas at one time or another. *

Intelligence functions throughout the brigade:

The Task Force Stryker Network-Centric Warfare draft case study (written for NDU) provides some insight into our approach to intelligence and the Guerrilla Hunter Killer Smartbook (posted on the CALL website) describes many of our TTPs. (It is

HDT

(continuation sheets)

important to note that the term "Guerrilla Hunter killer" is a US Army doctrinal term from FM 7-100.4 Appendix E, because much has been made in the Christian Science Monitor of the false notion that I invented this term for my own purposes.)

Chapter 18 in the Smartbook is devoted to visualizing the environment and describes the integration of civil-military information (such as agriculture, hydrology, soviet era operations, etc.) into a comprehensive visualization. The integration of Blue Force Tracker data into IPB-called an "honesty trace"-is critical to counter-IED operations as it documents the history of how an organization affects the environment. Our unit leaders thought that digital honesty traces were important enough that we published a brochure to share the TTP throughout Afghanistan (see Honesty Trace Brochure).

Our unit spent a great deal of time training personnel on intelligence before deployment. While we were still at Fort Lewis 2/75 RGR asked for intelligence officer support to round out their intelligence capability during one of their deployments. We decided to incorporate this into our training and supported multiple 2/75 RGR deployments with officers and enlisted soldiers. We also established an "externship" of sorts with DIA and sent intelligence personnel to work there for a period of weeks. We wanted to improve capability at the company level and we sent all Language Enabled Soldiers to predictive profile and modified Red Team training as part of their program. There are many other initiatives-too many to cite here-that we implemented to improve our intelligence readiness.

Governance, Reconstruction, and Development (GR&D):

The BSTB was our specialized capability (see long range strategy). It also formed an intelligence cell specifically focused on reconstruction, corruption, and contractors that was integrated with the brigade's intelligence section. The BSTB's role allowed maneuver battalion commanders to focus on tactical operations while the BSTB commander simultaneously lined up resources for reconstruction and to begin implementation while combat operations were still ongoing (see TF Stryker GR&D Reflections (Unsigned Copy) and the 6 month GR&D "Glossy" report).

Before deployment we worked very hard to make sure that we had the right skills throughout the formation to negotiate in a way to compliment operations-whether combat operations or G, R & D activities. We worked with experts locally such as the Dispute Resolution Center of Thurston County (http://www.youtube.com/watch?v=sG_ElXU2ohg) and internationally renowned experts such as the Consensus Building Institute (CBI). In fact, CBI presented a paper during 2010 SAIS/USAF Cross Cultural Conflict Management Symposium that discusses "Building Organizational Negotiation Competence In a Military Context: The Experience of a Stryker Brigade." (The AFCLC Conflict Management Symposium was conducted, September 23 - 25, 2010; they can provide feedback on the event.)

We used the Harvard Program on Negotiations executive education series as well as MIT executive education programs and other programs to develop unique skills to support operations in and around populated areas. We sent the brigade's economic development officer to school at the University of Washington for 6 months to develop the right skills for this environment. Field grade commanders, to

HDT

Colonel Harry D. Tunnell Statement, November 16, 2010

(continuation sheets)

include me, underwent 12 to 18 months or so of culture and language training. I co-taught the introductory lessons along with (b) (6), (b) (7)(C) on negotiation to all company commanders. The list of internal SBCT efforts to understand the human dimension in a conflict area is very long and spanned two years of pre-deployment training. Such speakers as Distinguished Professor (b) (6), (b) (7)(C) from NDU, the author (b) (6), (b) (7)(C) and a host of others spoke to us to help develop our understanding not only of the intelligence and tactical environment but also of the human dimension. *

Approval process for operations:

ISAF used a process that required non-traditional decision-making and problem-solving processes in the form of CONOP briefings to gain approval for an operation. Rather than having a concept approved early and then planning, resourcing, and executing an operation, under the CONOP process all of the resources might have to be lined up early—then the CONOP briefed and the operation may or may not be approved. Under the Dutch Command this process was awkward in terms of US Army MDMP but manageable because the commander would give sufficient guidance early enough for the process to work. MajGen Carter appeared very risk averse and would wait until the last minute then find an excuse and attempt to cancel an operation. This caused frustration and increased the risk to the force. On one occasion in October/November 2009 in Arghandab District an operation was postponed and subsequently compromised (see SECRET/NOFORN SBCT report on Arghandab). Another in Maiwand District (sometime in late Spring early Summer 2010) was disapproved and we had to conduct several smaller less robust small unit force protection actions in lieu of the main operation which exposed these smaller units to more danger.

Length, detail, and emphasis on EOF training:

We did place emphasis on EOF and related training before deployment and during deployment. Specialized equipment was procured, Language Enabled Soldiers were given specific instruction in language classes on searches (see JFQ Issue 51 essay), we developed and rehearsed specialized tactical call out procedures that would take advantage of our Land Warrior and other information systems, and we constantly rehearsed and went over EOF in our ramp briefings while deployed—I went through training with the ACP.

HDT

9. STATEMENT (Continued)

NOTHING FOLLOWS

AFFIDAVIT

I, COL HARRY TUNNELL, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 11. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

(b) (6), (b) (7)(C)

Fort Knox KY 40121
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of November, 2010
at BLDG 1310, FKKY 40121

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(Typed Name of Person Administering Oath)

Article 136, UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

it DJ

PAGE 11 OF 11 PAGES

2

3

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b)

(3)

(B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

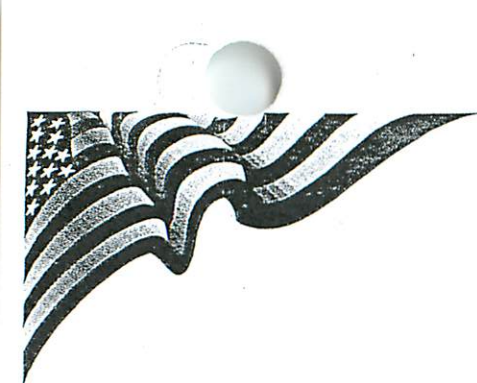
(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)



Code of Conduct



- I am an American, fighting in the forces which guard my country and our way of life. I am prepared to give my life in their defense.
- I will never surrender of my own free will. If in command, I will never surrender the members of my command while they still have the means to resist.
- If I am captured, I will continue to resist by all means possible. I will make every effort to escape and aid others to escape. I will accept neither parole nor special favors from the enemy.



Code of Conduct



- If I become a prisoner of war, I will keep faith with my fellow prisoners. I will give no information or take part in any action which might be harmful to my comrades. If I am senior, I will take command. If not, I will obey the lawful orders of those appointed over me and will back them up in every way.
- When questioned, should I become a prisoner of war, I am required to give name, rank, service number, and date of birth. I will evade answering questions to the utmost of my ability. I will make no oral or written statements disloyal to my country and its allies or harmful to their cause.
- I will never forget that I am an American, fighting for freedom, responsible for my actions, and dedicated to the principles which made my country free. I will trust in my God and the United States of America.

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (6), (b) (7)(C)

4

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION HQ, I Corps, JBLM, WA	2. DATE (YYYYMMDD) 2010 20 28	3. TIME 0930	4. FILE NUMBER
(b) (6), (b) (7)(C)			7. GRADE/STATUS O-4

6. ORGANIZATION OR ADDRESS
HQ / 1-17 Infantry Regiment 2-2 SBCT

9. (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I reported to HQ/5-2 SBCT IN December 2009 and deployed to Afghanistan in January 2010. I arrived at Kandahar Airfield o/a 4 January 2010. O/a 5 January 2010 I received initial counseling from Colonel Tunnell. COL Tunnell, knowing that I had just ^{Para 361} completed the Intermediate Level Education Course at the Command and General Staff College, asked, "What did they teach you at school about COIN?" I explained that we only discussed COIN operations in the broader context of tactics and doctrine. I also explained that we did not receive any instruction about "How to" conduct COIN operations. COL Tunnell then explained that ^{Para 361} he believed his brigade headquarters had a great responsibility to conduct COIN while his subordinate battalions conducted lower-level operations. He explained that he did not believe that battalions were appropriately staffed or

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)	PAGE 1 OF <u>3</u> PAGES
-------------	--	--------------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT _____ DATED 28 OCT 10

STATEMENT (Continued)

resourced to properly conduct COIN operations. He explained that he had organized his Brigade ~~Support~~ Special Troops Battalion, under the command of (b) (6), (b) (7)(C) to lead the brigade's COIN effort in support of the subordinate battalions. He then directed me to "take a fresh look at the organization" and to make changes where changes were needed. Shortly after my initial counseling I departed Kandahar Airfield and reported to the 401-17 Infantry Regiment where served as the battalion operations officer from January through August 2010. During my time as the operations officer in Afghanistan, 1-17 IN operated along three lines of effort; security, partnership, and Governance. I was never discouraged from operating along these lines of effort and I always received support from brigade to conduct both lethal and non-lethal operations. For those operations requiring a higher headquarters' approval, we would submit CONOPs thru the brigade headquarters. I was never discouraged from reporting our operations to higher. However, in the April or May timeframe I did receive guidance to only submit CONOPs that fit into a "Level Zero" category since the brigade would not have to get approval from the RC-S

INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT _____ DATED 28 OCT 10

9. STATEMENT (Continued)

headquarters to conduct those operations. Following our operations we would collect company debriefs and storyboards. Storyboards were routinely sent to brigade headquarters as part of reporting requirements. Nothing follows.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

AFFIDAVIT

I, _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INF

(b) (6), (b) (7)(C)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of October, 2010

at

(b) (6), (b) (7)(C)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

5

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Fort Benning, GA	2. DATE (YYYYMMDD) 2010/11/10	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS O5/RA	
8. ORGANIZATION OR ADDRESS TCM-SBCT, Fort Benning, GA 31905			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I served as the Deputy Commanding Officer (DCO) for COL Harry Tunnell IV with 5/2 SBCT from 01 JUN 2009 to 23 JUL 2010, during which time I deployed to Afghanistan from 7 JUL 2009 to 6 JUL 2010. Throughout my tenure as the DCO, I consistently observed COL Tunnell use great care in his language to ensure that no order would ever be misconstrued to suggest that illegal, immoral or unethical behavior was acceptable in the accomplishment of any task or mission. He frequently used this kind of language when he conveyed orders to subordinate commanders and staff. Without question, COL Tunnell was responsible for establishing what I would characterize as an ethical climate and organization.

It has been suggested that COL Tunnell's use of FM 90-8 counter-guerrilla doctrine may have contributed to unnecessary or indiscriminate application of lethal force during combat operations. First of all, that is patently absurd. Secondly, in truth, counter-guerrilla was more an appellation, a literal nom de guerre, a matter of stylizing the brigade and instilling a winning spirit. The brigade's performance proves that we embraced all facets of COIN doctrine that were appropriate in southern Afghanistan. True, our soldiers were very well trained in the lethal aspects of COIN, they possessed tremendous skill at arms and were very competent and confident with their weapons, equipment, leaders and practices. As a result, our soldiers were far better at discriminately applying lethal force. This approach was COL Tunnell's conscious training strategy and was unequivocally borne out by our extremely low civilian casualty rate. I cannot recall one instance where our soldiers, without good cause, killed or wounded civilian non-combatants with direct fire, and only two incidents where we did so with air delivered munitions (both of which were later determined to be justified, even models of restraint consistent with ROE). 5/2 SBCT served in eight different districts in three different provinces, encountering about as many variations of threat, terrain and Afghan as any BCT has ever seen in Operation Enduring Freedom. Given the complexity of the deployment and environs therein, there can be no question that our unit performed magnificently. I am extremely confident that 5/2 soldiers possessed the confidence, training and skill that allowed them to take that extra second to assess a situation, thus allowing them to react to both lethal or potentially lethal situations appropriately. Additionally, COL Tunnell's use of FM 90-8 Counter-Guerrilla doctrine was a conscious decision to focus subordinate leaders on the tactical level of counter-insurgent warfare. This is also why he established a special staff in the form of a BSTB headquarters to fulfill many of the reconstruction, governance and development aspects of COIN. He did so in an attempt to relieve tactical level leaders of many of the burdens associated with these requirements.

Much of this lethal focus can be attributed to the late change of mission to Afghanistan. As any unit would, we initially lacked understanding of our environment and the threat. There was very little intelligence about the composition, disposition and strength of insurgent forces operating in northern Kandahar, a cause for much concern. Later these concerns would be realized when we began to take such heavy casualties during initial operations in the Arghendab River Valley (ARV). Given these factors, COL Tunnell wanted to find a way to focus his leaders on fundamentals that would reduce risk, improve force protection and ensure that our soldiers were prepared for any hazard or situation they might face. I think he was successful.

10. EXHIBIT	11. INITIALS (b) (6), (b) (7)(C) MAKING STATEMENT	PAGE 1 OF 3 PAGES
-------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

Para 3
3(c)

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT Fort Benning, GA DATED 2010/11/10

9. STATEMENT (Continued)

COL Tunnell's focus on the ROE and the ISAF Commander's Tactical Directive was a demonstration of his commitment to doing the right thing. COL Tunnell went to great lengths and was personally involved in crafting a training strategy of vignettes and story boards to make sure our soldiers understood when we should and should not apply lethal force. Counter-guerilla and guerilla warfare doctrine is resident in army literature and publications. FM 100-7, FM 3-24.2 all make reference to the guerilla fighter as an instrument of the insurgency. 3-24.2 defines the guerilla as any insurgent who uses a weapon...and does the actual fighting for the insurgency. This is what COL Tunnell wanted to focus on mainly because he knew first and foremost that our soldiers had to have the requisite fighting skill to brave a determined and hardened insurgent fighter (guerilla). He frequently stated that the non-lethal aspects of insurgency can be learned in theater, and that the lethal aspects of COIN cannot be learned in combat without unnecessary risk or loss of life. COL Tunnell was unwilling to assume that kind of risk. Some have stated that the non-lethal aspects of COIN are more difficult to train. I would submit that those who make such assertions have never been in direct fire contact with Afghan insurgents.

COL Tunnell understood the importance of co-opting and working with the Afghan government and security forces. As a result, 5/2 achieved tremendously positive rapport with ANSF and GIRA leadership with whom we encountered or otherwise shared battle space. Though COL Tunnell had his subordinates do most of the key leader engagements (KLE), he issued guidance on the importance of it and regularly emphasized this with his staff and leaders. COL Tunnell went to great lengths to prepare for his KLEs and implemented a rigorous SOP for it.

Initially I would characterize the relationship between NATO-ISAF Regional Command-South (RC-S), our higher headquarters, and 5/2 as very positive. Initially MG DeKreuf (NL) was the RC-S Commanding General, in short order he seemed to have developed confidence in COL Tunnell and they shared an open, convivial relationship. I would attribute this level of confidence to our success during Afghan national elections and our success during combat operations to clear the Arghendab River Valley area of Kandahar Province. Within days of arriving in Kandahar it became common knowledge that there was concern within RC-S that 5/2 was an "over-lethal" unit. Very early in the deployment, COL Tunnell presented his campaign model to the RC-S staff. The British Brigadier who was the G3 gushed that COL Tunnell possessed the best understanding and plan of any brigade he had ever seen. Several of the RC-S primary staff made similarly glowing compliments. It was clear that COL Tunnell's philosophy, and how well he articulated it, had won over the RC-S staff. MG DeKreuf was replaced by MG Carter (UK) in October 2009 and very quickly our relationship with RC-S deteriorated. I would attribute this entirely to RC-S, who quickly demonstrated that they were a pathetically inept staff, devoid of fundamental training, systems, understanding and competence. RC-S frequently issued instructions for task organization changes that exceeded their authority and defied the NATO TACOM command-support relationship. We were frequently given orders, tasks, and missions without resources or clear guidance. All of this I would attribute to lack of good estimates, understanding, and mission analysis. For example, we were given the task to ensure that all C-IED Route Clearance Packages were partnered with ANSF or they were not allowed to SP, further we were given only a few days to execute this task. 5/2 was partnered with ANP, ANA, ABP, Highway Police, all from different districts, provinces, Brigades, Zones and Corps'. This was a hugely complicated task and RC-S did nothing to engage the higher level ANSF leadership and gain consensus. I was convinced that these orders would result in RCPs not being conducted, which in turn would result in unnecessary casualties. Several RCPs were not conducted which caused several IED detonations and needless injuries and loss of civilian life.

Some other contributing factors in the poor relationship with MG Carter and RC-S may have been:

RC-S frequently queried 5/2 as to whether we possessed "extra" items that might be cross leveled to other non-US units within RC-S. I can remember requests for DUKES, Boomerangs and RAID cameras. Additionally, RC-S gave a disproportionate allocation of US resources to British units; items such as aerostat PTDS, Predator FMV and other airborne ISR systems. All of these factors contributed to significant rancor. COL Tunnell did a very good job keeping this from his subordinate commanders.

I attended every ramp ceremony for a 5/2 soldier at Kandahar Airfield from December to July 2010. MG Carter never attended any of these ceremonies. To my knowledge, MG Carter never visited any of our wounded soldiers in the KAF Role III hospital. Again, this kind of behavior created the perception that MG Carter did not care about our soldiers or how many casualties we took.

5/2 attempted to conduct a Brigade level operation into southern Zhari District in order to set conditions for the arrival of 2/101 BCT. Our operation was disapproved due to what was characterized as a lack of Afghan Army participation. Though what elements

INITIALS OF (b) (6), (b) (7)(C) STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT Fort Benning, GA DATED 2010/09/10

9. STATEMENT (Continued)

that MG Carter was making no effort to facilitate the deployment of 2/101 into what was the worst area of central Kandahar. 5/2 was most familiar with the threat in southern Zhari and I think this operation would have greatly disrupted insurgent forces, allowing for significantly less impeded deployment of 2/101. During the approval process, MG Carter kept coming up with tasks we had to perform in order to gain approval, and his personal staff would not allow us to get on his calendar. It was very frustrating. This demoralized much of the Brigade, myself included, since we were of the opinion that failure to conduct this operation would very likely contribute to the death of American Soldiers. I am of the opinion that it did. para 3c

For reasons I cannot explain most of the battalion commanders in 5/2 had difficulty communicating with COL Tunnell. I found him very approachable, personable and generally affable. COL Tunnell can appear imposing to some but I never saw him lose his temper or even raise his voice. He was decisive, and once a decision was made it was almost always final. I am confident he never made a decision based on emotion, he was very detached in that sense. I think most of the battalion commanders did not get the kind of feedback and encouragement they wanted from the Commander and as a result many of them called or queried me to ask what the commander was thinking. I do know that COL Tunnell was very confident in his field grade commanders and did not feel the need to praise them regularly. He was cautious not to interfere with how they commanded their units so long as they carried out his intent.

It is my personal opinion that the only mistake COL Tunnell ever made regarding the counter-guerilla subject was not engaging in the war of perceptions. Had he made more of an effort to explain why he chose to use certain language there may have been less concern by senior leaders and less friction for the brigade. I am not aware if any senior leader ever discussed the subject with him, or whether any suggested or directed that he change his philosophy. I think COL Tunnell was also surprised that other Army officers would go to such lengths to undermine or criticize a deploying brigade commander. It is also my opinion that most of the outcry over counter-guerilla is only over a matter of nuanced vernacular, over terms that, while not in common use, are indeed part of army lexicon and doctrine. Efforts to excoriate a commander on the basis of semantics, or second guess what philosophy he deems is appropriate to his unit simply undermines his efforts and detracts from his mission.

Lastly, I want to go on record having said that COL Tunnell is the finest leader with whom I have served in my career and it was a great honor to have served in 5/2 SBCT. COL Tunnell takes his responsibilities to his soldiers, the nation and the Army more seriously than any other leader I have known. He is truly a dedicated, selfless and competent leader whose personal success, recognition or accolades never enter into his thinking.

-----NOTHING FOLLOWS-----

AFFIDAVIT

(b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL

(b) (6), (b) (7)(C)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10th day of November, 2010, at Fort Benning, GA

(b) (6), (b) (7)(C)

6

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Bldg. 11265, JBLM, WA	2. DATE (YYYYMMDD) 2010/10/27	3. TIME 1800	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS O-4/AD	
8. ORGANIZATION OR ADDRESS HHC, 2- ID (SBCT), JBLM, WA 98433			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

In June 2010, I assumed responsibility as the Brigade Judge Advocate for 5/2 ID (SBCT). I deployed with the unit during OEF 09-11 and my place of duty was Kandahar Airfield, Afghanistan. I worked at the brigade TOC and served as the brigade commander's primary legal advisor. I interacted with COL Harry D. Tunnell on an almost daily basis. Personally and professionally, I enjoyed working for COL Tunnell. His leadership of his staff encouraged reflection and debate when considering issues. I did not feel pressure to agree with him and do not have the impression that others felt pressured to do so, either. I was able to provide legal advice with candor. I believe the command climate within the brigade was sound. Regarding his interactions with subordinate units, I did not observe or learn of a perception that there was unusual tension between the brigade and its battalions.

para 3i(1)

I believe there was tension between the brigade and ISAF RC(S). The tension arose after UK Forces assumed command of the RC. It seems there was a fundamental difference between the leadership philosophy and style of the incoming UK Forces and the Dutch Forces they replaced. As my interaction with RC(S) was limited, I make this observation from a couple issues that I saw and conversations with COL Tunnell. Shortly after UK forces assumed command of RC(S), grant of offensive ROE ceased. A more subtle difference brought by UK command was their absence at our TOC when we suffered a KIA. The previous commander and CSM made an effort to reach out to the brigade when we suffered a loss. The UK did not. Also there was a general perception was that the RC(S) staff process differed significantly from the brigade's. The brigade staff provided the commander several COA in order to satisfy the commander's intent while it seemed the RC(S) staff focused on implementing a particular COA. COL Tunnell, at times, would share with me some of his experiences working with UK leadership. When he did so, it was in the context of a private conversation and not in a public forum. In the spring of 2009, the UK commander briefed COL Tunnell regarding his concept of operations. Within the RC(S) HQ, I heard the concept referred to as the "cocktail napkin" as at one time the UK commander sketched out his concept of operations on a piece of paper. COL Tunnell's frustration with the "cocktail napkin" was that the concept of operations did not consider the operational picture at the time UK forces assumed command (Nov 2010) or after. Among COL Tunnell's concerns were that the UK concept of operations gave back areas to the Taliban which subjected 5/2 Soldiers to attack from those very areas and that UK decisions were extraordinarily wasteful to the US tax payer.

Though there was tension between RC(S) and the brigade, at no time were Soldiers encouraged to defy the orders of higher. One of the first questions to ask in our daily decision making process was, "is [it] illegal, immoral, or unethical?" If so, then that action was not taken. Defying orders would not be tolerated by COL Tunnell. I do not think that he agreed with every decision of his superiors; rather, that he followed orders. There is a misperception that COL Tunnell did not support COIN. My observation was that he did believe in COIN but before entering the "hold" and "build" phases, forces must first "clear." Prior to 5/2's arrival in RC(S), US or ISAF Forces did not conduct significant operations in what became Task Force Stryker's footprint. The brigade's focus was on clearing the area of Taliban to set the conditions for subsequent rotations to build and hold. Apparently, this concept

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
-------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, WA DATED 2010/10/26

STATEMENT (Continued)

operations was not shared by RC(S) or higher ISAF commanders. The last several months of the deployment were demoralizing in that it seemed 5/2 was marginalized by higher echelons.

COL Tunnell stated that his duty was to bring home the Soldiers under his command. COL Tunnell circulated around the battle space and could be characterized as a commander that leads from the front. I saw that he genuinely cared for Soldiers and strove to accomplish the mission while minimizing the risk to Soldiers. There is a misperception that COL Tunnell encouraged the liberal use of force. COL Tunnell provided his guidance on the use of force to subordinate battalions. With regards to release authorities, his guidance was more restrictive than that contained in COMISAF's Tactical Directive.

I do not believe that the command climate encouraged (b) (6), (b) (7)(C) to commit the murders he is alleged to have participated in. As I understand the facts in the ongoing cases, it is likely these murders would not have occurred but for the presence and influence of (b) (6), (b) (7)(C). Without (b) (6), (b) (7)(C) it is likely that the other defendants in these cases would never have committed the murders for which they are now accused. The evidence indicates that (b) (6), (b) (7)(C) seized the opportunities to commit crimes when the opportunities presented themselves. Had he been assigned to another unit, I believe that he would have taken the same actions. Indeed, there is evidence that (b) (6), (b) (7)(C) committed similar crimes in a previous deployment. Accordingly, I do not believe these crimes are a reflection of 5/2. This may be good news for 5/2 but it's bad news for the Army.

In addition to committing murders, there are allegations of hashish use among 10 or more Soldiers associated with (b) (6), (b) (7)(C) and that the Soldiers smoked hashish in their quarters. I am not aware of any evidence that indicates the PLT SGT, PL or higher leader was aware of these Soldiers drug use or other crimes. If the use was as broad among this group of Soldiers as is alleged, it is troubling that at least the PLT leadership was unaware of this activity.

para 3(2)

Over the course of the deployment, numerous investigations were conducted UP AR 15-6. As an ISAF Force, 5/2 fell under USFOR-A for administrative actions. That command did not publish a matrix of events that mandated initiation of AR 15-6 investigations. Investigations were initiated in 5/2 when ever a Soldier died, in the event of serious accident, misconduct, if JOE/law of war violations were alleged or for any other reason the commander deemed necessary. The commander did not initiate an investigation in every event that resulted in a non-US death. The commander assessed the event and determined whether an investigation was necessary in an individual instance. ISAF did not order units to conduct investigations as investigations were considered a national responsibility. Nevertheless, there were certain events that were mandatory to report to ISAF and among those was the infliction of civilian casualties. These reports were made through Operations channels and typically did not go through the legal section. 5/2 reported every civilian casualty event to RC(S). In the event the brigade commander directed a 15-6 investigation, the brigade XO would typically determine which officer was best suited to be the IO. Depending on the investigation, that officer might come from the same unit as the subject of the investigation. In the event of a Soldier's death, the IO would have come from the same unit as there would be no apparent conflict of interest. In the event of a law of war allegation, for example, the IO would come from an outside unit.-----NOTHING FURTHER-----

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, WA DATED 2010/10/26

9. STATEMENT (Continued)

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

(b) (6), (b) (7)(C)

WITNESSES:

Subscribed and sworn to before me, I, _____, to
administer oaths, this 28th day of October, 2010

(b) (6), (b) (7)(C)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

7

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Joint Base Lewis-McChord, WA 98433	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS CW2/AD	
8. ORGANIZATION OR ADDRESS HHC, 2-2 ID (SBCT) JBLM, WA 98433			

9. (b) (6), (b) (7)(C) _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I have been a member of 5/2 ID (SBCT) since March 2007. I served my entire time as a member of the brigade staff involved in targeting, IPB and operations planning. On 15 November 2010, I was interviewed by BG Twitty and asked to give a statement on the following issues: my understanding of COL Tunnell's Counter-Guerilla concept including my perception of how the subordinate battalions understood that intent, if I ever felt pressure to inflate body counts, support to the Brigade Special Troops Battalion (BSTB) Governance, Reconstruction and Development (GR&D) planning, and my overall assessment of the 5/2 ID (SBCT) command climate.

1. My understanding of COL Tunnell's Counter-Guerilla concept: In April 2007, I attended a new comers briefing presented by COL Tunnell. During this briefing, COL Tunnell gave his command philosophy and presented a slide show titled "War is Just War". These slides along with COL Tunnell's briefing defined the Counter-Guerilla concept and COL Tunnell's intent. I understood this concept as defining the brigade's roles and responsibilities within the overarching Counter Insurgency (COIN) doctrine. Over the course of the next 3 years, I was present as COL Tunnell presented his concept and intent on at least 3 more occasions to various audiences. I understood the Counter-Guerilla concept and how it fit in the COIN doctrine as the brigade provided security to the population through the defeat of the enemy. I believe this message was not as clearly understood at the battalion and company level. Over the course of 3 years in the brigade, I was often asked by battalion staff members (captains and below) about the Counter-Guerilla concept and the reasoning behind it. I believe that battalion commanders did not fully buy into the concept and did not effectively translate COL Tunnell's intent to their battalions.

2. Pressure to inflate body counts in OEF: Within approximately 2 months in Afghanistan, COL Tunnell directed the S2 section and MICO produce a weekly Battle Damage Assessment (BDA) tracker AKA a body count tracker. The BDA tracker was a tool at the brigade level only; battalions were not required to maintain their own tracker nor were the battalions required to provide input to the tracker. All data for the BDA tracker was pulled from the CIDNE database. At no time during my discussions with COL Tunnell was the term body count ever used nor did I hear that term throughout the brigade staff. The BDA tracker was used as a tool to measure enemy strength throughout the brigade's operating area in order to update IPB products, assessments and to determine if security levels were high enough for GR&D projects. I assisted in developing the BDA tracking and adding information to it although the S2 Operations section was the section in charge of its production. At no time during the deployment was I pressured by anyone to inflate the numbers of enemy dead or wounded nor did I see or hear about battalions being pressured to do so.

3. Support to the Brigade Special Troops Battalion (BSTB) Governance, Reconstruction and Development (GR&D) planning: The brigade staff was organized into working groups based on the Counter-Guerilla concept and the tenets of Counter-Guerilla operations as defined by FM 90-8. One of these working groups was the GR&D working group which was led by the BSTB staff because the BSTB's mission was reconstruction and development, however; because the BSTB is not an MTOE authorized unit for a Stryker brigade, it had a very limited IWF capability and the intelligence section was limited in size and lacking experienced intelligence staff officers and NCOs. Due to the intelligence limitations for the BSTB, the BSTB S2 section focused primarily on TOC operations and Afghan security corruption (police and army) while the brigade S2 section (continued on following page)

10. EXHIBIT	11. INITIALS (b) (6), (b) (7)(C) MAKING STATEMENT	PAGE 1 OF 3 PAGES
-------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF **(b) (6), (b) (7)(C)** TAKEN AT _____ DATED _____

STATEMENT (Continued)

(continued from previous page) supported by the MI Company provided intelligence assessments and planning support for the GR&D working group. This working group, along with the other groups manned by brigade staff members, allowed the battalions to focus on their daily operations while the brigade provided and synchronized resources to support the battalions.

4. My overall assessment of the 5/2 ID (SBCT) command climate: 5/2 ID (SBCT) was my 2nd consecutive assignment on a brigade staff and I now have 6 years as a brigade staff member between assignments at Fort Campbell, KY in the 101st and here at JBLM with 5/2 and now 2-2 ID (SBCT). Additionally, I worked as an LNO with the 172d SBCT during operations in Baghdad, Iraq. From my perspective, the command climate in 5/2 was the best I've experienced. As with the command briefing, I also personally heard COL Tunnell empower his subordinates multiple times over the course of 3 years but always with the caveat that whatever they wanted to do in regards to training or acquire in regards to equipment, it had to be done legally, morally, and ethically. In my mind, COL Tunnell set a left and right limit with a very broad limit of advance. COL Tunnell was not a "rah rah" commander, he did not give very many motivational speeches and I never heard glorify or glamorize killing the enemy. It was simply part of our role within the COIN doctrine.

5. I would like to add that much of the pre-deployment training was in my opinion more in line with the COIN doctrine due to the Counter-Guerilla concept and its ability to define the roles and responsibilities for the brigade and the battalions; however, as I already stated, that concept was not always clearly translated. *NOTHING ELSE FOLLOWS*

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

STATEMENT OF (b) (6), (b) (7)(C)

TAKEN AT _____

DATED _____

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) (Continued)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

DAVIT

, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b) (6), (b) (7)(C)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of November, 2010

at _____

(b) (6), (b) (7)(C)

INITIALS OF PERSON MAKING STATEMENT _____

PAGE 3 OF 3 PAGES

8



DEPARTMENT OF THE ARMY
JOINT BASE GARRISON
BOX 339500, MAIL STOP 1AA
JOINT BASE LEWIS-MCCHORD, WA 98433-9500

REPLY TO
ATTENTION OF

IMWE-LEW-ZA

5 NOVEMBER 2010

MEMORANDUM FOR RECORD

SUBJECT: Sworn Statement

1. The statement written below is based upon my interaction with COL Harry Tunnell over an extended period of time (approximately JAN '07 – JUL '10). During this period, COL Tunnell served as the commander for 5/2 Stryker Brigade Combat Team (SBCT), while I served as the (b) (6), (b) (7)(C) for the (b) (6), (b) (7)(C), a subordinate unit within COL Tunnell's command. Unless stated otherwise, the thoughts written below are strictly my views based upon my interaction with COL Tunnell; these thoughts include both our pre-deployment training period and our time deployed to Afghanistan in support of Operation Enduring Freedom.

BLUF: I view COL Harry Tunnell as the most difficult senior leader I have worked alongside in my twenty-six plus years of military service. I would not work with or for him in the future. *

In my opinion, COL Tunnell served as a commander with "no ears"; subordinate commanders' input was not requested, valued, or weighed in most tactical situations. COL Tunnell was only interested in actions that pertained to his view and his view was solely focused on the destruction of the enemy. At no time would I say that COL Tunnell portrayed or professed a balanced approach to command – in training, combat, outside relations or administratively. COL Tunnell's private comment to me prior to our deployment sums it up best when he stated in his office that he was after revenge for being shot in the leg while serving in Iraq (COL Tunnell kept the metal rod from his leg on his desk in his office and would use it as an illustration). Additionally, as a commander, COL Tunnell mainly commanded through his staff, direct interaction was infrequent at best. Battalion level input was rarely sought in my opinion, and brigade commander feedback was routinely funneled through his staff. His lack of interaction stretched deeper than just the tactical arena as well. Throughout my tenure working for COL Tunnell, he never once counseled an individual from my unit on their efficiency report when he served as the individual's senior rater (Troop Commanders, Squadron S3, and Squadron Executive Officer). COL Tunnell expressed to me that he was not required to counsel or mentor them; it was strictly the rater's

para 3c

para 3e

*

*

*

*

responsibility. In my view, COL Tunnell's direct interaction, understanding and personal knowledge of the individuals he senior rated within my unit was poor at best and truly less than the professional standards set by the US Army. Additionally, as a self-proclaimed A-social individual, COL Tunnell refused to interact with his subordinate commanders and leaders outside of an official military setting. Informal mentoring and counseling in an Army unit is imperative to unit cohesion, bonding, and building trust among each other. His demeanor in this capacity set a tone throughout the SBCT; the SBCT consisted of different battalion level organizations, not a collective Brigade level entity.

Throughout our train-up for deployment, COL Tunnell continually espoused a Counter Guerrilla philosophy, in thought, word, and deed. During our Mission Rehearsal Exercise (MRX) at the National Training Center (NTC) in FEB '09, the focus of the unit's training (Counter Guerilla operations) came under immediate scrutiny; his views were immediately debated upon our arrival at NTC. For example, during our NTC rotation COL Tunnell advocated for a Brigade-level live fire exercise and no Situational Training Exercise (STX) lanes to train some of the COIN skill-sets that a unit could not resource at home station to the same extent that NTC could offer. Simply put, the BDE's stated training plan was not the view of subordinate commanders. During our MRX rotation, unbeknownst to COL Tunnell, I worked with my Task Force Senior Observer/Controller at NTC to execute the same STX lanes COL Tunnel had canceled. Based upon my view of the skill sets required for our pending deployment to Afghanistan, I shaped this training without his approval or knowledge. My view of the situation was that I needed this time to properly prepare the unit for the mission I saw us executing in Afghanistan. I also informed senior leaders outside of the SBCT that I did not believe the brigade-level live fire exercise was as valuable as more situational training scenarios. I advocated for more COIN-centered situational training and no brigade-level live fire training at NTC (note: We (8-1 CAV) had been conducting live fire exercises at home station for the past eighteen months, to include team, section, platoon, and troop-level live fire exercises. I did not believe we needed further collective-level live fire training prior to our deployment). I openly admit that I worked to shape the training received at NTC to meet the needs I assessed were of value for our pending deployment. I did not agree with COL Tunnell's philosophy on the focus of the rotation.

Para
3c

Para 3e

Para 3g

*

Upon our arrival in theater, I routinely addressed my unit and expressed the views I believed were necessary to be successful in southern Afghanistan, all of which were center around COIN fundamentals. These views centered on dignity and respect, working with the populace, building cooperatives and working together with the District government and the local Afghan Security Forces. In this capacity, we did not follow the guidance of COL Tunnell and seek to solely hunt down the insurgents in our area of responsibility. Rather, we took a more population focused approach to the problem set. In this capacity, I endeavored to abide by the tactical directive published by COMISAF; from this document I took my direction, not from COL Tunnell. I worked around COL Tunnell's directives in order to adhere to COMISAF's directives Para 3i(2) and the additional guidance received from other visiting senior leaders (note: Spin Boldak, Afghanistan sat on a strategic border crossing with Pakistan. The Squadron routinely received senior level visitors, to include COMISAF, who issued direct guidance and expressed clear views on the importance of the border crossing site as well as the way ahead for this area). Additionally, COL Tunnell made rare visits to Spin Boldak (I believe he visited Spin Boldak a total of five times in a one year period and none of the visits lasted more than twenty-four hours in duration. Additionally, when external senior leaders visited Spin Boldak, COL Tunnell was not present). When COL Tunnell did visit Spin Boldak, he refused to allow me or the Squadron staff to update him on the current situation and way ahead. On one visit, he actually pulled me in my office and lectured me for having the TOC called to attention when he entered the building and the staff standing by to give him an update brief. His interaction with the unit during his visits was almost non-existent; even today, I do not see what he accomplished or gained from his brief visits to Spin Boldak. At the end of the tour in Afghanistan, the relationship between the Squadron and COL Tunnell and COL Tunnell and me was not good; it was reported to me prior to our redeployment that COL Tunnell had verbally stated to the Brigade staff that he hated Task Force Saint (the Squadron's name while deployed to Afghanistan). As I left Afghanistan, COL Tunnell told me that he felt like an outsider when he visited the unit, and truthfully to me, he was an outsider. In my opinion, COL Tunnell was not interested in the mission, challenges, or approach of the unit. He clearly did not understand the problem set in Spin Boldak, nor did he understand the direct guidance issued to the unit from other senior leaders. *

On a different note, the decision to cross attach my Alpha Troop to 2-1 Infantry for the deployment was based upon my assessment of the overall strength of the unit's command team, specifically (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) and the

(b) (6), (b) (7)(C) My assessment of these three individuals together was that they were the most balanced of the command teams under my control; this was the deciding factor for placing (b) (6), (b) (7)(C) under the operational control 2-1 Infantry. Prior to deployment, (b) (6), (b) (7)(C) served under me for approximately eight months (b) (6), (b) (7)(C) took command in NOV '08). However, during this same time frame, (b) (6), (b) (7)(C) was under the operational control of 2-1 Infantry for the NTC rotation. Throughout our tenure together, (b) (6), (b) (7)(C) always displayed a competent, trustworthy, dependable professionalism that equally matched his reputation. I never had any reason to question (b) (6), (b) (7)(C) ability to command, make sound decisions, and lead Soldiers. I still hold this true today.

As for (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) both served under me for an extended duration. (b) (6), (b) (7)(C) had served with me since JAN '07, serving as the (b) (6), (b) (7)(C) since the inception of the unit. His performance and attributes can be characterized by one word – incredible. I have not met a more professional, competent (b) (6), (b) (7)(C) than (b) (6), (b) (7)(C). I trust him explicitly and would gladly work alongside him in any capacity. His character and ethics are clearly above reproach. When one wants to see the epitome of the NCO Corps, one needs to look no further than (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) also served under me for an extended duration of time. (b) (6), (b) (7)(C) came to the unit as a new lieutenant in approximately APR '07, where he initially served as the commander for (b) (6), (b) (7)(C) while the unit was generating. Upon assignment of a captain to serve as the unit's permanent commander, (b) (6), (b) (7)(C) assumed the duties as one of the unit's platoon leaders; his performance in this capacity was tremendous. Based upon his performance and potential, I eventually moved (b) (6), (b) (7)(C) over to (b) (6), (b) (7)(C) to serve as the unit's (b) (6), (b) (7)(C). In this capacity, I rated (b) (6), (b) (7)(C) as one of the unit's best officers (one of the top three (b) (6), (b) (7)(C)).

Based upon his performance and my decision to place (b) (6), (b) (7)(C) under 2-1 Infantry for our pending deployment to Afghanistan, I left (b) (6), (b) (7)(C) in place as the unit's executive officer with the intent of moving him into a primary staff position (Squadron S4) approximately half way through the rotation. In February 2010, I did indeed move (b) (6), (b) (7)(C) to the Squadron S4 position. Once again, at no time, did (b) (6), (b) (7)(C) ever display any form of lack of judgment or questionable attributes. I would gladly accept (b) (6), (b) (7)(C) into my unit again today.

While deployed, I frequently talked with the Alpha troop chain of command and (b) (6), (b) (7)(C) about the status of the unit and their performance. On more than one occasion, (b) (6), (b) (7)(C) informed me that (b) (6), (b) (7)(C) was his best commander and (b) (6), (b) (7)(C) was his best unit.

Once again, the thoughts listed above are my views and opinions unless otherwise stated. I may be contacted at (b) (6), (b) (7)(C) to answer any and all questions.

(b) (6), (b) (7)(C)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of November, 2010

11
(b) (6), (b) (7)(C)



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT BLISS
1733 PLEASANTON RD
FORT BLISS, TEXAS 79916

REPLY TO
ATTENTION OF:

AFBL-DCG

09 December 2010

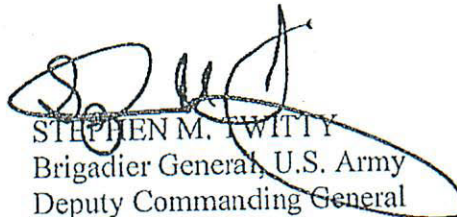
MEMORANDUM FOR RECORD

SUBJECT: Interview with (b) (6), (b) (7)(C)

1. On 2 November 2010, I conducted an oral interview with (b) (6), (b) (7)(C) at Joint Base Lewis McChord, Washington. During that interview he made the following statements which were not included in his written statement.

(b) (6), (b) (7)(C) stated that he felt "golden" before 5/2 SBCT deployed, referring to his status in the eyes of his Brigade Commander. However, he felt that the final OER that he received effectively ended his career progression. He believed that the change is due to how "he went after the problem set."

2. The point of contact for this memorandum is the undersigned at (b) (6), (b) (7)(C) or via email at (b) (6), (b) (7)(C)


STEPHEN M. TWITTY
Brigadier General, U.S. Army
Deputy Commanding General

9

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Fort Lewis, WA	2. DATE (YYYYMMDD) 2010/11/04	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS 05	
8. ORGANIZATION OR ADDRESS SWfF, G3, I Corps			

9. (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The command climate in 5/2 SBCT while I was in command of (b) (6), (b) (7)(C) (MAR 07 – SEP 10) was professional. COL Harry Tunnell, BDE CDR, issued guidance in the form of written and verbal orders. Once he issued guidance, he allowed his subordinate CDRs to figure out how to accomplish that guidance. As a CDR, if I did not understand COL Tunnell's guidance there was no issue with seeking clarification. COL Tunnell rarely sought my input on BDE goals/objectives/programs. I assume that he got input from the BDE staff and/or BDE CSM. Once COL Tunnell made up his mind on an issue/directive/decision then he was rarely open to further discussion. I did not have a personal relationship with COL Tunnell. I did not seek mentorship on command from him and rarely did he offer any. COL Tunnell was supportive of BN initiatives and goals as long as they fit within his intent. At times as a CDR he challenged me to articulate how the BN training or operation fit within his guidance. As long as I could articulate the purpose was within his intent, he approved and supported the initiatives. His guidance and CDR's intent was normally very clear and consistent.

Overall, I think COL Tunnell's emphasis on counterinsurgency operations was unnecessary. In the end, it created more problems than it solved. The purpose of utilizing counterinsurgency doctrine was to give tactical leaders a framework that COIN doctrine lacked. However, counterinsurgency doctrine was never fully accepted by junior leaders in my battalion. I personally became tired of the discussion as I considered the issue to be largely semantics. My junior leaders were instructed that we would execute the non lethal task of COIN and the tactical operations of counterinsurgency. The bottom line was that we executed mission type orders with a task and purpose and CDRs intent. However, the intellectual drain on leaders trying to reconcile the difference between counterinsurgency, counterinsurgency, and what they were taught at PME, such as the CCC or ILE, could have been avoided by focusing on offensive operations within the COIN framework.

The BDE's counterinsurgency emphasis created significant issues at the National Training Center where we conducted our MRE. It was my impression that the NTC was out to prove the counterinsurgency strategy wrong. Because they were so focused on that issue, they did not support the BDE's training objectives. The BDE requested a 14 day force on force operation and a BDE level (BDE C2 with a maneuver force and BDE enablers) live fire, neither of which was fully supported. Despite the fact that I was told by COL Tunnell that we were not conducting STX lanes, the TF level OCs continued to force us into STX lanes. After three days, I was confused and I had to call a halt to operations and discuss a way ahead with my TF OC. The enemy threat we faced did not accurately replicate the threat we saw in Afghanistan. (We had a change of mission from OIF to OEF within a month of the MRE.) At NTC we had very little direct fire contact and the IED threat was very weak. I do not recall having any casualties from IEDs. In our OEF deployment over 75% of casualties and 100% of fatalities came from IEDs. The obvious focus of NTC was on the nonlethal such as IO, Psyops, CERP projects, MEDCAP, Shuras, etc. The impression of the OCs was that our BDE did not know how to do nonlethal operations simply because we had a counterinsurgency slant to operations and this was simply not true.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>3</u> PAGES
-------------	---	--------------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, WA DATED 11/4/2010

9. STATEMENT (Continued)

We had plenty of room for improvement in these areas like all units at an MRE. But, the BDE and BNs spent significant time during our train up on these areas. We all fully supported the language enhanced soldier program, cultural training, and LPDs on the human dimensions of war. Because NTC pushed their agenda over the training objectives of the BDE CDR, I believe we were not as prepared for combat operations in Afghanistan as we could have been.

My battalion conducted all the aspects of counterinsurgency operations during our deployment in Afghanistan. This included both lethal and nonlethal operations. The lethal operations varied from security patrols, to clearing operations, to a Task Force deliberate attack into Marjah in support of the USMC. We worked very hard on local governance through shuras. We executed information operations and psyops. We conducted CERP projects, MEDCAPs, and humanitarian assistance missions. We worked with local authorities to settle claims that were created by actions of higher headquarters. We worked very hard on partnering, mentoring, and training the ANA and ANP. We set up an ANSF training academy with battalion resources that was very successful. We spent a significant amount of energy working with the ANSF to reconnect them to the local population and trying to get them to take ownership of problems. My BN moved twice across the width of RC (S)(Zabol - Helmand - Zabol) which had a negative impact on our ability to establish lasting effects in either AO.

nothing follows

(b) (6), (b) (7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, WA DATED 11/4/2010

9. STATEMENT (Continued)

(b) (6), (b) (7)(C)

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

(b) (6), (b) (7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of November, 2010

at (b) (6), (b) (7)(C)

ORGANIZATION OR ADDRESS

(b) (6), (b) (7)(C)
(Administering Oath)

(b) (6), (b) (7)(C)

(Typed Name of Person Administering Oath)

Judge Advocate
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)

PAGE 3 OF 3 PAGES

10

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

INCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION JBLM, Washington	2. DATE (YYYYMMDD) 2010/11/01	3. TIME 0900	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS 05/AD	
8. ORGANIZATION OR ADDRESS I CORPS, JBLM Washington 98433			

9. (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

COMMAND CLIMATE: I was the (b) (6), (b) (7)(C) for a little bit over two years beginning in May 2008 through August 2010. The first year of this stint was absolutely the worst command climate I have ever operated under. That said, nothing about the unit climate led to the killings perpetrated by (b) (6), (b) (7)(C) and his men, in my opinion. That was simply the work of a sociopath. During the first year of my time as the (b) (6), (b) (7)(C) I worked for (b) (6), (b) (7)(C) and COL Tunnell were very open in their disregard for one another - each spoke poorly of the other in less than private forums which put subordinates in uncomfortable positions. Both officers were difficult to work for, but for different reasons. At the BDE Level COL Tunnell insisted on a counterguerrilla framework for all training and operations. He had absolute disdain for campaign planning at the BDE Level and below. He insisted that military forces only function on the battlefield was to hunt down and kill the enemy. Any mention of "COIN", "NON-LETHAL OPERATION", or "GOVERNANCE" by subordinate battalion commanders and if during the year prior to our deployment was met with vehement objection by COL Tunnell. There are numerous instances in which this caused serious problems and confusion for junior field grade officers as well as the companies - contributing to an overall negative command climate. Here are a few examples:

1. All of the field grades had been at ILE during the Army's transition to and acceptance of COIN doctrine as the way forward in both Iraq and Afghanistan. Campaign planning and a balanced approach across multiple lines of effort for battlespace owners was central to the education we recieved at ILE and in my case SAMS. This was the accepted approach to military operations in the institutional army. Many of the company commanders and staff captains at the BDE and BN level had been platoon leaders in counterinsurgency fights in Iraq and Afghanistan. The denigration of their experience by COL Tunnell's negative reaction was demoralizing for many of them who I spoke to. When I arrived at 5/2SBCT I was warned by my peers to not mention anything about COIN or campaign planning when speaking to COL Tunnell. Stories of his negative reactions to this generally accepted truth about how the army operated were legend. The most disappointing thing about this environment for me was that there was no opportunity for intellectual discourse on the topic. COL Tunnell had made his mind up about how the BDE would operate - regardless of the context or the setting into which we were placed. To me it was a demonstration of rigidity contrary to the direction that we were heading as an army. We knew instinctively that we would have to do some of the things that COL Tunnell didn't want to see - such as work to improve local government institutions - so we set about preparing to do so in semi-secret, without the benefit of support or oversight from the BDE.

2. The conflict and resulting confusion inherent in COL Tunnell's approach became extremely frustrating during our LTP rotation at Fort Irwin, California in January of 2009. One of the stated aims of LTP is for BDE and BN Staffs to produce a campaign plan that will guide operations at the Mission Rehearsal Exercise, as well as serve as a framework for future operations in combat. The BDE did not produce a campaign, at COL Tunnell's direction, but the BNs were required to turn in a Campaign plan to our OC's. This push/pull between the BDE CDR and the NTC O/Cs caused confusion and disillusion at the lower levels, as we knew the OC's regarded our unit with disdain. We developed a campaign plan as required by the NTC O/Cs but absent any input or support by the BDE Staff. (CONTINUED)

10. EXHIBIT	11. INITIALS (b) (6), (b) (7)(C) MAKING STATEMENT	PAGE 1 OF 5 PAGES
-------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, Washington DATED 2010/11/01

9. STATEMENT (Continued)

The most significant impact of this was a feeling that I had that we were going to combat in a BDE that was not going to support us with the types of resources and planning we would need to be successful.

3. The conflict that began at LTP worsened when we returned to NTC for our actual MRE. The open conflict between COL Tunnell and his NTC OC is well-documented. For subordinates, the feeling that we were part of a unit disdained by many in the Army was oppressive - and we felt that COL Tunnell didn't care how the unit was perceived. You want to be proud of your unit and the work that you do - so constantly hearing from OC's and others that your unit approach is wrong makes that difficult. Because we were told on short notice that we would be going to Afghanistan and not Iraq - members of the staff of RC-S came to Fort Irwin to speak to us about conducting operations in Afghanistan. Between them and the OC's, I often felt that they were having to "Teach Around" the BDE commander and staff - telling us we would have to conduct COIN and campaigns whether the boss wanted to or not. This type of conflict between the BDE and higher leadership has a real negative impact on subordinate formations.

4. After the NTC Rotation, at some point prior to the deployment, the BDE CDR published a "long term strategy" as his answer to the Army's trend of campaign planning. The strategy was unlike anything that any of us in the BDE had ever seen - utilizing a business model that was developed out of MIT. The model listed three tiers of customers for the BDE: Tier I was the American public, Tier II was our NATO partners and adjacent units, and Tier III was the 'end user,' the Afghan People. Because the battalions were not involved in the development of the model and it was published after the MRE and so close to the deployment it only served to further confuse us about what we needed to accomplish. It was not briefed or explained by the BDE staff, it was simply sent to us as the 'guiding document' for our deployment. Because we didn't really understand it, it was never really adopted as a guiding principle for our operations during the deployment.

Fortunately for us in 2-1IN, (b) (6), (b) (7)(C) assumed command of 2-1IN at the end of March. This was fortunate for us because the BN had been strained under the difficult leadership of the previous BN commander and by the fact that he was in constant conflict with the BDE Commander. (b) (6), (b) (7)(C) had the opportunity to observe the battalion and the brigade during the E at NTC and so he was able to devise his strategy for interaction with the BDE commander during that time. (b) (6), (b) (7)(C) came from JRTC, where he had been training units in COIN operations. Because he didn't share the two year history of constant 'anti-COIN' vehemence that the other BN CDRs had experienced, he had not been indoctrinated or brow-beaten into accepting this philosophy. We were also fortunate because our initial deployment orders had us TACON to RC-S as the operational reserve for the RC-S commander. The BDE Deployment order had one sentence that was relevant to 2-1IN - 'act as the RC-S Reserve.' As a result of the ambiguous nature of our guidance, I deployed early with a cross-section of my staff in order to help RC-S understand our capabilities and to better define our mission. While interacting directly with the RC-S staff I learned first hand that our BDE was already looked upon as a 'problem unit' well before we even got on the ground simply due to the problem interactions between the commander and nearly everyone around him. I also was warned by the BDE XO not to spend too much time in the RC-S headquarters because the BDE CDR thought I was out of my lane - even though RC-S had clearly directed that we would be the reserve. COL Tunnell had made public that he was going to fight to get us back under the BDE Control. In one sense this was admirable because he felt that was the best way to take care of his team - but it had a similar negative effect as much of his other dealings. Because we were likely going to execute missions as the RC-S reserve we needed to coordinate with them and begin planning - but by doing so we were in direct violation of the BDE CDRs intent. In order to mitigate risk for the soldiers in my Battalion and for the new BN CDR, I continued to conduct daily coordination with RC-S in preparation for our assumption of the reserve mission. I fell out of favor with the BDE commander over this decision and never really recovered. We conducted three missions under the RC-S reserve umbrella before a shift in battlefield geometry put us out in Western Meywand District.

The previous are some of the examples of things that affected the climate within the BN as it related to the BDE. The most frustrating thing was that COL Tunnell was so intelligent that he failed to take into account how his actions impacted morale and external perceptions of his organization. He felt like he could lead his organization in a vacuum. The BN's climate was extremely negative during this first year I was the XO. It is difficult to ascertain how much of the negative climate in the battalion was a result of COL Tunnell's actions, and how much was a result of (b) (6), (b) (7)(C) approach to leadership and training. (b) (6), (b) (7)(C) assumption of command was an important step in improving the climate of the battalion however, as he came in with a fresh perspective and a plan to adhere to the principles of COIN that he had executed in Iraq and trained units on at JRTC.

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 2 OF 5 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, Washington DATED 2010/01/11

9. STATEMENT (Continued)

TACTICAL DIRECTIVES: Immediately upon learning that we were to become a battlespace owners, (b) (6), (b) (7)(C) began to define our approach to operations. Using the ISAF tactical directive as his baseline, (b) (6), (b) (7)(C) published his own tactical directive on 16 September 2009 as a way to influence the company commanders to conduct operations in accordance with accepted norms in a COIN environment. Each time there was an incident that resulted in a lesson learned - either about the enemy's TTPs or about our own soldiers shortcomings in understanding COIN, we published an update to the tactical directive to clarify the commander's intent. By June 2010 we had published 13 versions of the TF LEGION tactical directive. A large part of the tactical directive was written to ensure respectful, rapport building interactions between the soldiers in the battalion and the local population. Elements such as the 'head of household search rule' ensured that the population's interaction with TF LEGION was on the whole positive. Massive growth in attendance at our weekly district level shuras, and an increase in buy-in from the local population over the lifespan of our mission reinforced the importance of the tactical directive and the BN's approach to operations.

The tactical directives also served to eliminate any confusion about 'counter-guerrilla' versus COIN operations. Regardless of whether we were going to aggressively pursue the enemy - we would conduct operations in accordance with the basic principles of COIN as set out in the tactical directives. All soldiers in the task force were required to understand the directive and the CDR and CSM reinforced the principles and every change during their frequent battlefield circulations.

Although I don't recall if it made the tactical directive, one example of his culturally sensitive approach to operations was his guidance on the handling of dead civilians and enemy. Based on McChrystal's tactical directive, specifically that dead would not be left on the battlefield, (b) (6), (b) (7)(C) knew that we would end up handling remains at some point. He directed me to work with the our CAT II interpreter to publish guidance on how we would handle bodies. His overriding guidance was that all bodies would be handled in accordance with Muslim and Pashtoon culture. On the rare occasions that bodies were brought to the FOB - while we were arranging for their transfer to either the authorities or members of their families - they were lain out as straight as possible and wrapped in a white sheet IAW muslim tradition. We were very respectful of the dead because we wanted the word to get out that we were a culturally sensitive, respectful organization. Any mistreatment of bodies within the battalion was a direct violation of the BN CDRs guidance.

Because (b) (6), (b) (7)(C) had the opportunity to observe the BDE and the BDE CDR from the outside during our NTC rotation - he was able to devise a strategy for dealing with the commander. Even though he employed basic principles of COIN in our operations - as an example the Decisive Operation was our COIN/Governance effort in Huta - he communicated his operations to the BDE CDR in terms of how we were going to get after the enemy as a result of success in the aforementioned areas. His strategy of communication with the BDE command paid off and resulted in a positive relationship between him and the BDE CDR.

AFFIDAVIT

I, _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 3 OF 5 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, Washington DATED 2010/11/01

9. STATEMENT (Continued)

(b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) came to the battalion sometime in the winter of 08-09. He was initially assigned to the S3 shop because all of the platoons were full, and he went to the MRE at NTC as a member of the staff. While at NTC, the S3 assigned him on a mission as an LNO to B Company - mostly to get him some experience at that level during the training rotation. (b) (6), (b) (7)(C) was positive, physically fit, ranger qualified, and responsive to guidance given to him by myself, the S3, and the Company Commander. As a result, we felt he was ready to take a platoon and succeed as a platoon leader. There was a massive exodus of officers from the BN between the MRE and the deployment due to a large number of YG06 officers we had in the battalion. (b) (6), (b) (7)(C) was assigned to 3/B as a part of that movement of officers and at the request of (b) (6), (b) (7)(C) the B Company commander. He had left such a favorable impression that there was some discussion about sending him to the scout platoon but we didn't do that because of his inexperience. His PSG in 3/B was (b) (6), (b) (7)(C). Because of my position I didn't know the PSGs very well in the BN, I mostly dealt with the 1SGs. I was aware, however, of an incident in which (b) (6), (b) (7)(C) had injured himself with a star cluster during the NTC rotation while riding in the back of a Stryker vehicle. I know that there was discussion of his competence as a result of that event, but he was left in charge of his platoon. IN HINDSIGHT - I think that (b) (6), (b) (7)(C)'s jovial nature allowed his soldiers to take advantage of him, and I think that (b) (6), (b) (7)(C) failed to control or win the trust of his subordinate NCOs. As a result, the Squad leaders were able to build little subcultures within the platoon and the PSG was not able to control them. As the Platoon Leader, (b) (6), (b) (7)(C) never had the ability to gain control of the platoon because his PSG was not in control either. I have no reason to believe that (b) (6), (b) (7)(C) knew his soldiers were using drugs, nor were involved in murder - but I do believe he should have been more attuned to the actions of his men both on patrol and while there were back at the FOB. One mitigating factor is that he was given his platoon after the MRE with very little time to get to know his men prior to the deployment. He never had an opportunity to develop or refine basic leadership TTPs before he was sent to combat. An outstanding (b) (6), (b) (7)(C) likely would have been able to account for that. I think that (b) (6), (b) (7)(C) is an average (b) (6), (b) (7)(C) that was put into a very difficult situation that he never was able to fully contain. Due to the decentralized nature of operations in COIN, squad leaders are often on their own - conducting security or other tasks out of the direct line of sight of their platoon leadership. Squad leaders must be trustworthy and able to handle this tremendous responsibility. Unfortunately, (b) (6), (b) (7)(C) NCOs were not able to handle this responsibility, and they broke the trust that was given to them by their leadership.

ASK ORGANIZATION and (b) (6), (b) (7)(C) KNOWLEDGE: Due to the tactical situation, and the fact that we were task organized with a CAV Troop, we made a decision to distribute two of (b) (6), (b) (7)(C) three platoons across the Task Force and give (b) (6), (b) (7)(C) two infantry platoons in their place. This gave (b) (6), (b) (7)(C) the combat power he needed to accomplish his mission. The negative impact of this, however, was that (b) (6), (b) (7)(C) had two platoons working for him that he really didn't have any knowledge of. He had not worked with them much previously. In a situation like this he was forced to trust that they were operating within his intent and that the NCOs and the LT were doing their job. When trust breaks down a unit is no longer able to operate effectively - so it is very difficult to know when you should begin to second guess subordinate leaders. I am certain that (b) (6), (b) (7)(C) had no knowledge of the events that were occurring in 3rd platoon - and believed that the contact they were reporting was legitimate enemy contact. Unfortunately, the fact that (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) hadn't worked together prior to the deployment probably contributed to the platoon's demise. Because (b) (6), (b) (7)(C) was thrust into this combat environment, he did not receive some of the important leadership coaching and mentoring that comes from development under a company level commander. (b) (6), (b) (7)(C) may have made some assumptions about (b) (6), (b) (7)(C) capabilities as a leader without having had the benefit of observing him in training.

THE FIRST MURDER and (b) (6), (b) (7)(C) KNOWLEDGE: The only incident that I have any real knowledge of was the first murder that occurred at some point in January. (b) (6), (b) (7)(C) had been on the patrol that day. When the shooting occurred, he was inside a compound having a discussion with one of the civilians in the village. Like (b) (6), (b) (7)(C) he had no reason to believe that (b) (6), (b) (7)(C) or his men had done anything wrong - and he had not been in a position to observe the contact. After the incident the platoon was not able to get any of the villagers to accept the remains, and so they brought the dead man back to the FOB in accordance with the published guidance. A few hours after the incident, several men from the village came to the FOB to ask for the remains, and the complain that the man we shot was not a Taliban. (b) (6), (b) (7)(C) one of my duties was to conduct engagements with local civilians and to speak for the commander of the FOB. Based on the descriptions of the incident given by the Squad leader and his men that were on the scene - later described as the 'kill team' - we argued that the man was shot because he threatened our men with a grenade and that he must have been working for the Taliban without their knowledge. The Taliban had been using all kinds of unconventional tactics and we simply chalked this up as either a suicide attack or as a miscalculation. --> CONT.

INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C) PAGE 4 OF 5 PAGES

9. STATEMENT (Continued)

THE FIRST MURDER and (b) (6), (b) (7)(C) KNOWLEDGE (CONT.): Because he had been in the village with the patrol, (b) (6), (b) (7)(C) and I sat side by side and spoke to the men from the village. We were adamant that this had been a legitimate contact and that the individual had been a bad man. There was no reason at the time to believe otherwise. The village that they were from was a known Taliban controlled village and the reports given by the men all corroborated. I did tell the men that we would investigate the killing again to be sure and after this discussion with the villagers, I recommended to (b) (6), (b) (7)(C) that he direct a commander's inquiry at the company level. (b) (6), (b) (7)(C) did direct (b) (6), (b) (7)(C) to conduct an informal inquiry into this shooting, which resulted in the same report as the original. Because all three of the men directly present at the time of the killing were co-conspirators, there was no other information available other than the false reports they gave to cover up their misdeed.

CONCLUSION: The killings and other criminal activity that occurred in 3rd Platoon Bravo Company were a result of poor leadership within the NCO chain in the platoon, an average platoon leader who had not had the opportunity to train with his men or learn how to be a platoon leader, and a mission that caused them to be attached to an unfamiliar company level commander. I have no reason to believe that any of this occurred as a result of difficulties within the climate at the Brigade Level. Because of his approach to operations, his use of sound COIN TTPs, and his publishing of the tactical directives there was no mistaking the intent and guidance of (b) (6), (b) (7)(C). Any acts perpetrated by (b) (6), (b) (7)(C) and his men were directly contradictory to the commander's intent, and I am certain that any leader interviewed will attest to that.

That said, there is no question in my mind that the climate of the BDE was negatively impacted by the BDE CDRs vehement objection to conducting COIN operations. The organizational effectiveness was also impacted as the BNs were forced to find work arounds in order to conduct governance and institution building activities without angering the BDE CDR. COL Tunnell's disregard for the reputation and opinions of his organization caused us constant problems when we dealt with outside agencies who had heard of his disregard for COIN doctrine. Subordinate leaders wanted to be proud of our BDE, but found and continue to find ourselves under attack because of COL Tunnell's policies. Any of us who were vocal that we should be doing more governance and institution building activities were treated with contempt by the BDE CDR. I know he had several heated exchanges with the 8-1CAV commander over this, and he personally said to me "do you really think you are going to make a difference here?" when I was discussing our governance operations with him. When he gave his speech at the reflagging ceremony, he demonstrated that he had no desire to change his mind - he said that 5/2 had been borne for one purpose only and that was to conduct counterterrorism operations. Now that the deployment was over, 5/2 would become 2/2, and the unit would serve some other purpose. Unfortunately, after COL Tunnell left, several thousand soldiers remained with the new unit. As one of them I felt disenfranchised and disillusioned over how my organization had been treated and over the legacy that had been wrongfully created.

I, (b) (6), (b) (7)(C) FIDAVIT
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 5. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE
BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE
CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b) (6), (b) (7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to
administer oaths, this 2nd day of Nov, 2010
at (b) (6), (b) (7)(C)

(Signature of Person Administering Oath)

(b) (6), (b) (7)(C)
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)

PAGE 5 OF 5 PAGES

11

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION 8th Army HQ, Yongsan, Korea	2. DATE (YYYYMMDD) 2010/11/18	3. TIME 1300	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME JOHNSON, JOHN D.	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS O-9	
8. ORGANIZATION OR ADDRESS 8TH ARMY			

9. I, JOHN D. JOHNSON, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

While I was the Deputy Commanding General of I Corps, I came to know COL Harry Tunnell to be a self-assured and highly intelligent officer. I assessed COL Tunnell to be a somewhat introverted officer who appeared to have some difficulty interacting with his subordinate commanders and peers. I noticed that there was a lack of cross-talk between him and his fellow brigade commanders. COL Tunnell was often set in his thinking, resulting in an inability to cooperate on issues and leading to less than optimal relationships with the other brigade commanders and the Corps staff. He was not considered to be a team player. At the time, however, I assessed that COL Tunnell was effectively preparing his unit for their combat mission and that these relationship problems were not insurmountable barriers to his effectiveness. The stress of preparing to deploy was exacerbated by a change in mission from Iraq to Afghanistan. This put a great deal of stress on the unit, as they attempted to adapt to a new mission set and learn about their new environment. COL Tunnell's pre-NTC training had been focused on a mission in Iraq, and the unit had very little time to prepare for this change prior to their Mission Rehearsal Exercise at the NTC. This stress, combined with COL Tunnell's insistence and focus on counter-guerilla operations as opposed to the COIN doctrine taught at the NTC, negatively affected his relationship with the NTC controllers and threatened the effectiveness of his unit's preparation for the mission in Afghanistan. This difference in doctrinal approach and training objectives caused confusion among the BCT's leaders and staff, and conflict with the NTC trainers. My assessment at the time was that the primary differences between COL Tunnell and the NTC trainers were philosophical in nature and were not contributing to the unit's preparations. On several occasions, I intervened to ensure that the differences between COL Tunnell and the NTC staff did not jeopardize the unit's preparation for deployment or certification to deploy. MG Pittard (then BG and Commander of the NTC) expressed his concerns to me that the BCT would not be certified to deploy. I asked for a meeting to resolve this issue, resulting in a session between (then) BG Pittard, COL Tunnell and myself to ensure COL Tunnell understood what was necessary for his unit to successfully complete the training and become certified. This was a positive session, wherein BG Pittard explained that COL Tunnell's focus on counter-guerilla operations were confusing his subordinates, and laid out specific performance measures to COL Tunnell, necessary for the BCT to successfully complete the training. In a subsequent meeting, I further explained this to COL Tunnell and directed COL Tunnell to stop his references to counter-guerilla operations and to focus on the feedback the NTC trainers were attempting to provide his unit. From this point on, COL Tunnell and his brigade made satisfactory progress in the rotation at NTC and were subsequently certified for their deployment. While I knew that there was no significant change in COL Tunnell's opinion about the efficacy of counter-guerilla operations and its application in the BCT's Afghan mission, I felt like his attitude reflected a significant change in his willingness to adapt to the requirements of his new mission, and a willingness to listen to the NTC trainers about changes that would make the BCT more effective in their mission. I asked for a final assessment from the NTC at the end of the rotation and conducted a VTC with BG (then COL) Randy Dragon, the Commander of the NTC Operations Group. This session included a detailed review of the tasks specified by MG Pittard and concluded that the unit was certified to deploy. Because of the Corps' deployment to Iraq in March-April, I had little interaction after this with COL Tunnell or the BCT until they redeployed to JBLM.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT <i>ADJ</i>	PAGE 1 OF <u>2</u> PAGES
-------------	---	--------------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ADJ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF LTG John D. JohnsonTAKEN AT Yongsan, KoreaDATED 2010/11/18

9. STATEMENT (Continued)

While the Corps was deployed to Iraq and COL Tunnell was deployed to Afghanistan, we received feedback from theater that the BCT was having difficulty. This feedback came in the form of casualty reports, some feedback through the rear detachment at JBLM, and from a couple of newspaper articles about the unit. LTG Jacoby (I Corps Commander) sent his Command Sergeant Major to Afghanistan to visit the unit and make an assessment. (b) (6), (b) (7)(C) feedback to me on his return was that COL Tunnell's brigade had been in a tough fight, was doing the right things, morale was high, and things were generally going well for his brigade. This reassured me that the Brigade had learned from its training and had adapted to its new environment. This was offset a bit in a few telephone conversations with COL Tunnell, where he expressed frustration with his NATO and US chain of command, the missions his unit was being assigned, and resources that were being taken from him/or denied to his unit. My advice was for COL Tunnell to ensure he addressed this with the US superior officer in his chain of command. Once the Corps had redeployed and 5/2 SBCT was preparing for their own redeployment, COL Tunnell contacted me about his leaving JBLM for an early report to his next assignment, with a return to change command. I was concerned that this belied a lack of focus on redeployment and reset and thought it would be better for the BCT to have an early change of command and allow COL Tunnell to rotate to his new job. I was also concerned by the attitudes and comments generated in an AAR that I conducted with COL Tunnell and the battalion-level and above leaders of the BCT. The tone was decidedly negative as compared to any of the similar discussions I had with other returning units. The leaders concerns focused on the way the unit was treated during by their NATO and US chain of command in Afghanistan, the way they were remissioned, and the lack of support (ISR and other) that the leaders believed the BCT should have received. I became even more concerned when I discovered that COL Tunnell was allowing his Soldiers to initiate block leave without first finishing redeployment processing. This caused us to change our redeployment model and reiterate the requirement for all Soldiers to complete their face-to-face behavioral health (BH) interviews prior to being allowed to start block leave. Any Soldier determined to be at High Risk was required to further complete BH appointments as required by medical assessments, and not start block leave until cleared by a medical professional. Despite a detailed backbrief overseen by COL Tunnell and conducted by each battalion-level commander who attested to this standard being met prior to block leave, we subsequently found that many Soldiers had not completed this requirement. I ordered a Commander's Inquiry to help me identify weaknesses in our redeployment plan and execution. The feedback from this inquiry told me that the BCT had no detailed redeployment plan, which contributed significantly to the problems early in the redeployment/reset process. This combination of events occurring during the 3CT's redeployment and initial reset caused me to question the overall organizational health of the unit. I determined that I needed to direct a comprehensive assessment of the unit, so we could ensure we took the proper steps to help the unit and individuals in the unit to reset and ultimately prepare for a future deployment into combat. I directed BG Lloyd (Milo) Miles to lead a team of I Corps and JBLM resources and provide me the assessment. This also resulted in my asking the FORSCOM Commander for help in assessing the unit. This assistance included the MEDCOM EPICON team. The interim results of this assessment said that while the unit was not in crisis, there were many issues that needed to be addressed. This process was continuing as I left the command. Nothing follows.

AFFIDAVIT

I, JOHN D. JOHNSON,

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT

WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of November, 2010

at Yongsan, Korea

(b) (6), (b) (7)(C)

(Signature of Person Administering Oath)

(b) (6), (b) (7)(C)

(Authority To Administer Oaths)

PAGE 2 OF 2 PAGES

12

Background. Pertinent information that should be taken into account.

- I do not have full access to personal notes from this rotation.
- The answers below will address the period relative to 5/2 Stryker Brigade Combat Team (SBCT) contact with National Training Center (NTC) Operations Group immediately before and during NTC rotation 09-04 (LTP – 7-14 JAN 09; RSOI – 9-12 FEB 09; TRM – 13 FEB 09; TD 1-14 – 14-27 FEB 10).
- The I Corps staff, 5/2 SBCT, and the NTC staff had approximately 3 weeks to re-design the scenario and adjust training requirements from an Iraq-based scenario to an Afghan-based scenario. Normally, 6 months is allotted for rotational planning and preparation.
- Due to the reduced preparation timeline and the first deployment of a SBCT for OEF, the rotation experienced higher-than-normal participation by senior military officers.
 - a. MG John D. Johnson, DCG I Corps, attended a predominance of the training as the Senior trainer. He provided continuous feedback to the unit chain of command based on his observations, and was instrumental in providing guidance regarding the scenario modifications required to meet training objectives.
 - b. BG John Nicholson, DCG RC-South conducted several leader-teach events and worked directly with the BCT for several days.
 - c. BG Dana Pittard, CG NTC, provided feedback to the unit leadership, and conducted at least one closed session (one-on-one) with the SBCT Commander.

Bottom line. The unit had an aggressive, combat-seasoned commander who attempted to apply an internally-generated doctrinal framework that was outside of the commonly accepted norm – his counterinsurgency approach could be characterized as exclusively enemy-focused. Those who actively or tacitly followed along were part of the team; those who did not were viewed as non-believers and marginalized. During my 2 year and 20 rotation tenure as the NTC Operations Group Commander, this was the most challenging rotation, due in part to the late change of scenarios but more due to the reluctance by the 5/2 SBCT Commander to follow and train his formation using current doctrine. The 5/2 SBCT Commander set the tone for his organization to ignore doctrinal fundamentals that many applied in previous tours in Iraq and Afghanistan. At the NTC and through feedback from deployed Brigades in Iraq and Afghanistan, these same fundamentals, when consistently applied, allowed our leaders to apply initiative, create opportunities and make critical decisions in complex, time-constrained full spectrum environments. In the training environment, the cumulative effect of an uncooperative leadership superstructure coupled with open disdain for contemporary Army doctrine created a divide – the scenario and Observer/Controllers (O/C) aligned to COIN-related multi-echelon skills and a unit chain of command tied exclusively to an enemy-centric approach and unwilling to adapt. As the best point of departure, refer to FM 3-24, para 1-14 and the commensurate Logical Lines of Operation (Chap 5) needed to support such operations.

1. What was the command climate in the 5/2 SBCT during Harry's command? Did he command by fear, intimidation--did officers NCOs voice their opinions about the counter Guerilla strategy?

To answer the second part of the question first. During NTC Rotation 09-04, the 5/2 SBCT Commander was respected by his subordinates; he was a hard leader who cared for his unit and who trained his unit in a specific way and for a specific part of their upcoming operation. As such, he could be characterized as being stubborn and maladaptive when alternative ideas or methods were introduced that were outside of the specific skill sets integral to his counter guerrilla approach. There were some combat-experienced officers, commissioned and noncommissioned, who voiced concern over the exclusivity of the counter guerrilla focus. Most, if not all, had successfully applied some form of a COIN strategy on a previous tour to Iraq or Afghanistan. *

Command climate is not normally addressed as part of formal collective training experience at the NTC, instead training feedback focuses on unit development. If the actions or behavior of an individual leader creates "drag" or causes negative effects on unit progression, the NTC O/C (coach) first attempts to correct the behavior through direct intervention by providing insights to the individual, basically helping them "see themselves." If that fails, the information is normally provided to the unit chain of command for internal corrective action. Pern 3C

In retrospect, there are several indicators that did not allow this unit to grow to its potential in the training environment, and those indicators are attributable to the 5/2 SBCT Commander's steadfast adherence to the counter guerrilla approach.

- First, the inability of the unit and its leadership to apply lessons learned from training.
- Second, unit growth to accept and apply contemporary doctrine and parallel TTPs was stymied and the unit was held back from "getting better every day" as a result of the training experience.

Both of these are fundamental precepts of the CTC training experience. I would also attribute this to several factors --

- 5/2 SBCT focused on applying skill sets and training tasks derived from older counter guerrilla doctrine (Field Manual 90-8, Counter guerrilla Operations, 1986). Unit assessments throughout a NTC rotation generally focused on how well the unit met its training objectives. The essence of the coach/teach/mentor philosophy undertaken by the NTC Ops Group demands a clear understanding of the unit's training objectives, and an honest exchange between (O/C) coach and unit leader -- the common ground between training unit and O/C in the Army doctrine. In order to achieve results and "get better everyday" it is left to unit leadership to adapt the organizational focus based on feedback. Since we never moved beyond the realization that the applicable and contemporary US

Army doctrine (FM 3-24, Counterinsurgency, 2006) served as the basis for scenario development and collective task feedback, we could not move forward during the rotation. The unit leadership was unable to adjust its mindset. *

- The "normal" NTC two-week rotational design consisted of two fundamental parts. The first week normally dedicated to Situational Training Exercises (STX) focused on small unit skills, with the second week set aside for the Mission Rehearsal Exercise (MRE). The rotational design for the Iraq scenario was modified by the unit chain of command and initially included no STX, but strictly the force-on-force MRE. After the theater changed to Afghanistan, the rotational design was re-configured and included 3 days of STX with notable reluctance by the 5/2 SBCT Commander.
- Once the rotation started and after observing the unit through training days (TD) 1 and 2, it was the NTC Ops Group assessment that there was an over-estimation of the unit's ability to perform. In general, the TD2 assessment and feedback from O/Cs indicated that the unit performance was no better than other units at the same point in the rotation. *
- Finally, there was an overt reluctance on the SBCT Commander to expose his unit leaders (especially at lower levels) to skills required in a counterinsurgency environment, particularly stability operations tasks and specifically civil-military operations. *

Based on unit performance and reluctance to adapt to the full spectrum requirements, particularly at the command level, the NTC Ops Group was directed to provide daily written feedback to the unit chain of command for the remainder of the MRE. This feedback started after the mid-rotational After Action Review (TD7). This was the only unit in my tenure as the COG to receive daily written feedback at the BCT level.

As an imperative, the ability of a unit to "learn and adapt" comes clear in the pressurized NTC environment. 5/2 SBCT Commander's reticence to adopt a training strategy ^{para 3c} underpinned by contemporary doctrine created confusion. NTC O/Cs focused on tasks derived from in-theater experiences, current Tactics, Techniques, and Procedures (TTPs), and based on contemporary doctrine (FM 3-24 and 3-24.2 (interim released OCT 2008)). Soldiers and small units at lower levels had less problems adapting and executing individual skills for the COIN environment. Company and Battalion-level leadership were hamstrung, having to choose between remaining silent when it came to the application of COIN doctrine at their level or applying COIN on the margins or going against the flow of the Brigade's counterinsurgency approach. *

To summarize, there was a reluctance to embrace COIN doctrine. It is my recollection that there were several officers who thought that they would be ostracized for using the term "COIN," and this feeling was generally prevalent throughout the command.

2. *Did COL Tunnell's Counter Guerilla Strategy impede the units training or operations in combat? Were operations followed LAW GEN McCrystal's command directives and FM 3-24 and FM 3-24.2?*

Note – GEN McKiernan was the ISAF Commander when this rotation was conducted (FEB 09). Due to the 5/2's late notice and theater change from Iraq to Afghanistan, many leaders were unaware of the ISAF Commander's published Tactical Directives. Knowing this, the NTC Cadre provided copies of the directives, while guiding discussions and feedback to embody the spirit of the directives.

As a leader and with the exception of the doctrinal differences, the 5/2 SBCT Commander conducted himself in a professional and honorable manner while commanding his troops at the NTC. He had good intentions, but he was also quick to marginalize those whose opinion/recommendations differed from his own. With the Army executing within a COIN framework, it was our collective observation that the opinions of others didn't count, including those in the chain of command who raised support and concern for applying COIN doctrine. In addition, it was the collective observation of the NTC Ops Group that the 5/2 SBCT Commander did not maximize the training and preparation venue provided him by the Army, but instead treated the rotation as a "mandatory requirement" that had to be done before deploying. As a result, he waded through, an attitude that permeated some command elements but did not significantly impact growth at the small unit (platoon/squad) level.

The SBCT leadership focused exclusively on the enemy. It is my recollection that the 5/2 SBCT Commander's fundamental belief was that the enemy network was comprised of leadership, supply chains, and formations – all of which needed to be degraded in order to achieve results. His units were laser-focused on aggressive offensively-oriented operations at the expense of a dynamic operational framework (balance of offensive, defensive, and stability operations) along multiple Logical Lines of Operation that were deemed appropriate for the successful execution of Full Spectrum operations over an extended period. 5/2's original deployment was slated for Iraq, and with the ongoing and successful application of the doctrine described in FM 3-24 and supporting manuals, many O/Cs found it unusual that he diverged so far from the mainstream.

BG Randy Dragon is correctly
deployed to Iraq and did not
have the Means to Scan his
Signature.

I Certify That this is his
Statement provided on 30
OCT 2010

4/4

SG M. [Signature]
Investigator

13



DEPARTMENT OF THE ARMY
REGIONAL COMMAND SOUTH,
INTERNATIONAL SECURITY ASSISTANCE FORCE
NORTH ATLANTIC TREATY ORGANIZATION
OPERATION ENDURING FREEDOM, AFGHANISTAN
APO AE 09355

REPLY TO
ATTENTION OF:

RCS-DCG

17 November 2010

MEMORANDUM FOR RECORD

SUBJECT: BG Frederick B. Hodges Statement for 15-6 Investigation taken from Verbal Interview on 16 November 2010

1. Inside the brigade, it seemed that the brigade staff were a little intimidated or reluctant to communicate with COL Tunnell. The battalion commanders and staff seemed distant from their commander, although this was likely due to their units being geographically dispersed. The brigade was dispersed in the region due to RC-South mission. Though they were dispersed, the battalions that I visited were still doing COIN like we had wanted them to. But the brigade staff always seemed a little under the thumb of COL Tunnell and under pressure due to his specific intent of counter-guerrilla, although I could be reading into this too much. That being said, the brigade did tremendous things while deployed. It should be noted that a ceremony that I attended for one of the soldiers lost by the brigade was one of the best ceremonies that I had ever gone to, of which full credit is due to the brigade staff for just one of the tremendous jobs they did. COL Tunnell had his battalions seemingly enemy focused, but what stood out here is that BSTB commander (b) (6), (b) (7)(C) mission, in contrast, was population centric. This showed COL Tunnell's intent that it was not the job of the other battalions to execute COIN population centricops, but to have the brigade through the BSTB accomplish the population aspect of COIN. Something that did strike me as odd was the brigade motto "Seek and Destroy," which was unusual since there was no historical significance for this and seemed counter to what we were trying to accomplish, but I failed to bring this issue up with him as it related to his mission in Afghanistan. The battalion commanders did not seem to follow his counter - guerrilla intent but instead did COIN within their area of operations. For example, 2-1 IN commander (b) (6), (b) (7)(C) did a great job with his unit along Highway 1, and one of his company commanders by the name of (b) (6), (b) (7)(C) in COP RATH was the best company commander that I had seen in 15 months with establishing a relationship with the district governor in addition to starting a school there. Although he was doing COIN, he was still out there killing the enemy since that is still part of COIN. The battalion also started Legion Academy to train local police and the army. This was deemed so successful that other units started copying what (b) (6), (b) (7)(C) was doing. Additionally, 1-17 IN was doing a great job with COIN in their area of operations in light of their heavy losses at the beginning of the deployment. With regards to this battalion, I was asked by their

para 3c

para 3d c3
*

[Handwritten signature]

commander (b) (6), (b) (7)(C) to look into COL Tunnell pulling (b) (6), (b) (7)(C) out of command. COL Tunnell explained that various company drug problems and high level of casualties gave cause for him to believe that he was no longer effective as a commander. I didn't agree with him necessarily, but I respected the brigade commander's prerogative and did not want to overstep his authority. COL Tunnell gave me the impression that he was all over the region visiting his units that were spread out by some distance, but this did not affect the subordinate units from proper COIN tactics. It struck me that they did their own way of doing COIN not out of intentional rebuttal to COL Tunnell, but just by the fact that they were so dispersed from the brigade leadership. *

2. COL Tunnell requested a CERP mission at which MG Carter denied. However, COL Tunnell kept pushing for it although our perception was that the locals did not want to do it, which was important since the locals would have to take the lead with the district governor and leaders on board. The biggest point of friction between RC-South and 5/2 SBCT was on the mission itself. The mission of 5/2 SBCT was to assure the freedom of movement along Highway 1 and Highway 4 from Kandahar. The expectation of COL Tunnell by MG Carter was to not just run Strykers' up and down the road, but to get involved with the local populace. It seemed to me that COL Tunnell never bought in to the mission, which became a point a friction for us. He did not seem to really get what was going on out there. What was interesting to me was that (b) (6), (b) (7)(C) 41st Sustainment Brigade whom we later tasked to report what was going on along the highway gave us more information through his transportation units in a two week time frame than 5/2 SBCT did in a whole year. Either COL Tunnell did not grasp the concept or just refused to follow MG Carter's intent. However, it is difficult for me to think that COL Tunnell did not grasp the intended concept. The most frustrating situation that I had with COL Tunnell was when we wanted him to move his TAC off KAF towards FOB Walton which was on the outskirts of Kandahar City. He refused saying that it would take him 3 months to complete this move, which was a ridiculous and unacceptable reason, putting the Army in a negative view to the British and Marines stationed at KAF. COL Tunnell never seemed to accept RC-South's freedom of movement, although his subordinate units seemed to follow our mission. Another situation that occurred was during a RC-South commander's conference hosted by MG Carter this last spring talking about how to implement GEN McChrystal's tactical directives and to accomplish this without unnecessary civilian casualties. After several other commanders stated their views in ways to accomplish this, MG Carter turned to COL Tunnell and asked for his view. His reply was "Well sir, we are soldiers we will follow it." When asked again what his view was, he replied "No sir, that's it. We will follow it". This really disturbed me because a two star general is asking for his professional view as an SBCT commander and he refused to expound on this tough command issue with his curt answer. This seemed almost childish and cadet like to me. This situation was again embarrassing for the Army and me since we were in a conference attended by sixty plus personnel from various joint and combined commands. So I pulled him into my office and let him know that what happened in there was disappointing, especially coming from a senior commanding officer. I believe that he had already made up his mind concerning the tactical directives and his way of showing disagreement was to keep his reply succinct. As for other's perception of an over aggressive attitude of 5/2 SBCT in a COIN intended mission, I never specifically saw this aggression, but I remembered a conversation that I had with COL Tunnell of how he didn't believe that RC-South's tactic of being civilian sensitive *

worked since these tactics did not work from his experience in Iraq. However, he always did proper investigation procedures anytime that there were significant issues, including when there were civilian casualties and sent it to higher.

Para 3j(2)

3. I do not believe that COL Tunnell's aggressiveness with counter - guerrilla had anything to do with what happened in the alleged murders from the platoon in B Company, 2-1 IN. From my experience, it comes directly from weak leadership in the platoon leader and the platoon sergeant which only encourages the manifestation of a rogue squad leader in carrying out illegal activities. GEN McCaffrey said that "in every rifle company, you will have a murderer and two rapists in the ranks" and I believe that if there is weak leadership, rogue actions by Soldiers can happen. *

4. Looking back on my relationship with him, I regret that I wasn't more involved in his professional development during his tenure as a brigade commander. I should have specifically told him that MG Carter and I had lost confidence in his ability to command from his failure to follow instructions and intent. *

Para 3h2 Para 4(a)(3) Para 5a(1)(a)

5. POC for this memorandum is the undersigned at DSN (b) (6), (b) (7)(C) or via email at

(b) (6), (b) (7)(C)

VOCO (see below)

FREDERICK B. HODGES
Brigadier General, U.S. Army
Former Deputy Commanding General

BG Hodges was enroute from Afghanistan a/c TDY when I interviewed him over the phone for this recorded statement on 17 Nov 10.

SGT M. Smith
Investigative Officer



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT BLISS
1733 PLEASANTON RD
FORT BLISS, TEXAS 79916

REPLY TO
ATTENTION OF:

AFBL-DCG

09 December 2010

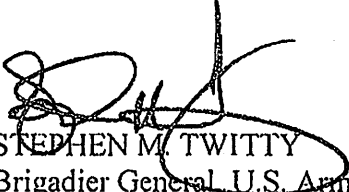
MEMORANDUM FOR RECORD

SUBJECT: Interview with BG Frederick Hodges

1. On 16 November 2010, I conducted a telephonic interview with BG Frederick Hodges from Joint Base Lewis McChord, Washington. During that interview he made the following statements which were not included in his written statement.

BG Hodges praised the actions of the BSTB commander (b) (6), (b) (7)(C) who he said did a terrific job. He also validated that the 5/2 SBCT, under management of the GRD cell, was greatly successful in coming up with CERP projects, accounting for 60% of RC South's CERP spending. He stated the GRD cell was one of the best that he had seen.

2. The point of contact for this memorandum is the undersigned at DSN (b) (6), (b) (7)(C) or via email at (b) (6), (b) (7)(C)


STEPHEN M. TWITTY
Brigadier General, U.S. Army
Deputy Commanding General

14

(b) (3) (B)

(b) (3) (B)

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

INCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Joint Base Lewis-McChord	2. DATE (YYYYMMDD) 2010/11/16	3. TIME 1100	4. FILE NUMBER N/A
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS O-5/RA	
8. ORGANIZATION OR ADDRESS 4th Battalion, 9th Infantry Regiment (Manchu), 4th Brigade (SBCT), 2nd Infantry Division, JBLM			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

COL Harry D. Tunnell IV maintained a professional relationship with me during my two and a half years under his command (one year as the 8-1 Cavalry Squadron XO and 1 ½ years as his Brigade XO). It is my assessment that he maintained a professional relationship with his subordinate battalion commanders; however, I cannot speak to the closeness or the lack of closeness he shared with his commanders.

COL Tunnell developed the Brigade's Long Range Strategy (based on the MIT Delta Model) to assist him in making more informed decisions in Afghanistan based on measurable actions/activities/metrics. The document was initially shared with several field grade officers from the Brigade staff to help him refine his document. COL Tunnell subsequently shared the Long Range Strategy with his subordinate battalion commanders shortly before the deployment. He did not intend the battalion commanders to mirror his "lines of operation", but informed them that their assessments would feed into his strategy that was to be reviewed in a 7 months.

COL Tunnell directed several Leadership Professional Development (LPD) Programs focusing on the non-lethal approach in COIN and the human dimension of combat. Some of the LPDs and population focused initiatives included:

- Afghan specific guest speakers, to include Distinguished Professor (b) (6), (b) (7)(C) (considered at one time to be a candidate for President), (b) (6), (b) (7)(C) for the original Iraq deployment plan), and other academics and subject matter experts in various terrorism and Afghanistan dimension related disciplines
- a Human Dimension LPD in November 2008 that included the "Nature of Segregation and survival strategies in segregated societies", "Establishing Programs and building "sweat equity" with indigenous societies", "US Military Involvement in post Civil War Reconstruction", "US Bureau of Indian Affairs", "Panel on Governance, Infrastructure, Tribes and Economic Considerations for Middle East societies", a brief on the Electronic Think Tank initiative, and "Business and Enterprise Development in Iraq"
- The Leader Development & Education for Sustained Peace (LDESP) COIN seminar between 30- 31 March 2009
- A two-day off-site LPD for company commanders and above in the summer of 2007
- Company Equal Opportunity Leaders (EOLs) attended a 40-hour Mediation training hosted by the Thurston County Dispute Resolution Center (<http://www.mediatethurston.org/>)
- He sent several officers to the Harvard's Program on Negotiations for Senior Executives, MIT Sloan School of Management's Executive Seminars, and other Executive Seminars hosted by Harvard.
- All company commanders in the Brigade attended a 3-hour negotiations orientation on the Mutual Gains Approach (MGA) to negotiations and how to utilize MGA as a tool for working through and with local leaders and in understanding underlying interests.
- 5/2 ID (SBCT) staff members, Fusion Cell planners, and BN LNOs attended a 3-day seminar hosted by the Consensus Building Insti(b) (6), (b) (7)(C)ative leadership and effective meeting facilitation to prepare them for working with external agencies to the Brig (b) (6), (b) (7)(C)

10. EXHIBIT (b) (6), (b) (7)(C)	11. INITIALS (b) (6), (b) (7)(C) AND SIGNATURE	PAGE 1 OF 2 PAGES
---------------------------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b) (6), (b) (7)(C) AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM DATED 2010/11/16

STATEMENT (Continued)

- The Brigade offered Predictive Profiling training and Red Team Training down to the company level to assist commanders in understanding non-Western decision-making
- COL Tunnell sent (b) (6), (b) (7)(C) to the Wexley Advertising Firm for an Externship. It was a two-month long externship with the Wexley School for Girls advertising firm in Seattle to help design IO messages in order to reach non-traditional audiences who communicate by word of mouth and have limited literacy.

COL Tunnell handled investigations in garrison and in combat with the utmost professionalism. Of the investigation initiations I observed, he carefully reviewed reports to higher HQ to make sure the information presented accurate, timely, and complete facts without the bias. I conducted an informal 15-6 in garrison in October 2007, three months after arriving to the Brigade. He provided a detailed MFR establishing the parameters of the investigation, prevented any real or perceived undue command influence, and accepted findings of the investigating officer.

The Six Brigade Fusion Cells were Governance, Reconstruction and Development (GR&D), Population and Resources Control, Advisory Group, Intelligence Fusion, SOF/Consequence Management Fusion, and Tactical.

-----NOTHING ELSE FOLLOWS-----

TIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

(b) (6), (b) (7)(C)

STATEMENT OF

TAKEN AT

JBLM

DATED

2010/11/16

(b) (6), (b) (7)(C)

EMENT (Continued)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

AFFIDAVIT

I, (b) (6), (b) (7)(C)

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLU

(b) (6), (b) (7)(C)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11th day of November, 2010

at

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(Signature)

Judge Advocate
(Authority To Administer Oaths)

STATEMENTS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 3 OF 3 PAGES

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

15

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Joint Base Lewis-McChord	2. DATE (YYYYMMDD) 2010/11/16	3. TIME 1100	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS MAJ	
8. ORGANIZATION OR ADDRESS HHB, 17th FiB, Joint Base Lewis-McChord, WA			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

From February 2007 – July 2010 I served under COL Harry Tunnell in 5/2 ID (SBCT) first as a battalion S3, then for 18 months (from May 2008 – Dec 2009) on the Brigade staff as the Brigade Fire Support Officer. During my time on the Brigade staff, I interacted with COL Tunnell on a regular basis and worked directly with him on a number of initiatives during our preparation for deployment.

He created a thinking organization that stressed innovation to work through problems. There are a lot of examples where COL Tunnell used non-traditional avenues to train leaders at all levels how to be successful in a counter-insurgency. Over the course of the 5/2 ID (SBCT)'s generation, the Brigade initiated multiple programs and developed tools that were population focused and designed to assist the Brigade's leaders and staff in dealing with the indigenous population. The following is a summary of these programs and tools implemented and developed under the guidance and direction of COL Tunnell:

1. Company Negotiations Teams. Organized negotiation teams at company level consisting of the Company Commander, a senior NCO serving as the Equal Opportunity Leader (EOL), and the Company Language Enabled Soldier (LES).

2. Company Commander Negotiations Training. All company commanders in the Brigade attended a 3-hour negotiations orientation on the Mutual Gains Approach (MGA) to negotiations and how to utilize MGA as a tool for working through and with local leaders and in understanding underlying interests.

3. Mediation Training for Company Equal Opportunity Leaders. All Brigade EOLs attended 40-hour mediation training through the Thurston County Dispute Resolution Center as a part of their negotiations training.

4. Consensus Building Institute. 5/2 ID (SBCT) staff members, Fusion Cell planners, and BN LNOs attended 3-day seminar on collaborative leadership and effective meeting facilitation to prepare them for working with external agencies to the Brigade.

5. Combined Negotiations Training. All Company Negotiations Teams underwent 2-day training facilitated by the Thurston County Dispute Resolution Center to provide communication skills when preparing for and executing negotiations with local Afghan leaders. Utilized real-world scenarios that leaders are likely to encounter and taught company commanders how to effectively work with indigenous leadership in solving complex problems.

6. JAM Sessions. An effort utilized in Afghanistan to conduct collaborative discussions and drive tactical innovation. The intent was to create a tool for Brigade leadership from the team leader level and up to discuss ways the Brigade can be more effective in conducting operations in various areas. The Brigade conducted several JAM sessions toward the middle of the deployment to drive bottom up tactical innovation in selected topic areas (KLE, Economic Development, Partnering, Air Ground Integration, Leveraging the Communications/Intelligence Network, Counter IED, etc.).

7. Language Enabled Soldiers. 5/2 ID (SBCT) had 118 Soldiers formally trained in Arabic language and Culture at US college level (originally for our OIF deployment). Subsequently, 50 of the best students were immersed in a three month Pashto language course as critical members of the company battle staff when the Brigade's mission changed to Afghanistan. The LESs were trained in language, Arabic and Pashto culture, Red Team Training, and negotiations.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)	PAGE 1 OF 4 PAGES
-------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, WA DATED 2010/11/16

3. STATEMENT (Continued)

They additionally served as a member of the Company Commander's negotiation teams and help develop negotiations strategy.

8. The Brigade executed extensive Predictive Profiling training and Red Team Training down to the company level to assist commanders in understanding non-Western decision making.

9. University of Washington business and economic development courses. We enrolled (b) (6), (b) (7)(C) one of our Army Captains, for a semester at UW for classes in business and economic development to help better understand these systems in countries like Afghanistan. He was a key player in the Governance, Reconstruction, and Development effort for the Brigade and responsible for multiple GR&D initiatives successfully carried out in theater.

10. Human Dimensions Leadership Development Program (HD-LPD). The Brigade executed a 2-day seminar focused on tribalism, impoverished and discriminatory societies, and historical examples of post-conflict military operations. For the HD-LPD, we invited a myriad of intellectuals to speak to all of the officers of the Brigade to include (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)

11. Afghan specific guest speakers for various Brigade-level LPDs have included Distinguished Professor (b) (6), (b) (7)(C) considered at one time to be a candidate for President, (b) (6), (b) (7)(C) and many other academics and subject matter experts in various terrorism and Afghanistan dimension related disciplines (b) (6), (b) (7)(C)

12. Local terrain and agricultural Decision Maker Project (in conjunction with Purdue University). Database based on ASCOPE that allows us to overlay any population, agricultural, structural information onto maps to help make decisions at the lowest levels. It enables us to help make recommendations on their own development. The Brigade used this tool extensively in our intelligence and targeting processes to focus resources and GR&D efforts.

13. Wexley Advertising Firm Externship. The Brigade IO Coordinator attended a two-month long externship with the Wexley School for Girls advertising firm in Seattle to help design IO messages in order to reach non-traditional audiences who communicate by word of mouth and have limited literacy.

14. Long Term Strategy. The Brigade's Long Term Strategy for Afghanistan was based off of the MIT Delta Model that is used by business to clearly articulate the Brigade's primary focus or 'customers.'

15. The Six Brigade Fusion Cells. The brigade invested considerable intellectual capital and energy in addressing the population's needs through the following targeting cells: Governance, Infrastructure [and Development], Population and Resources Control, Advisory Group, Intelligence Fusion, SOF/Consequence Management Fusion, and Tactical.

16. BDE CDR, DCO, XO, S3, BSTB CDR, S6, S2, FSO, and KM attended one or more of the following Harvard Negotiations, Massachusetts Institute of Technology (MIT) Sloan School for Management, or Harvard Executive Seminars. These seminars included two comprehensive Executive Certificate programs in:

- Management and Leadership
 - Strategy and Innovation
- Individual certificate programs:
- The Program on Negotiation for Senior Executives
 - How to Teach Negotiations in an Organization
 - Executive Strategies for Persuasion
 - Building, Leading, Sustaining the Innovative Organization
 - Developing and Managing a Successful Technology & Product Strategy
 - IT for the Non-IT Executive
 - Reinventing Your Business Strategy
 - Dealing with an Angry Public
 - Developing a Communications Strategy
 - Dealing w/ Difficult People and Difficult Situations
 - Building, Leading, Sustaining the Innovative Organization
 - Managing People for Maximum Performance
 - Managing Technical Professionals & Organizations

Despite the considerable amount of resources and effort to develop new ways to work with and through the local populace, the Brigade did not clearly articulate its philosophy on population engagement with other military leadership, most notable senior leaders at the National Training Center and some members of the RC(S) staff. It is my opinion that the use of the term "counter guerrilla" and placing focus on the enemy were barriers to others outside of the Brigade headquarters understanding what we were

INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C) PAGE 2 OF 4 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, WA DATED 2010/11/16

STATEMENT (Continued)

our way to highlight our population focused initiatives during VIP briefs. As the above initiatives demonstrate, population engagement was a critical part of the Brigade's strategy. However, COL Tunnell believed that a tactical infantry Brigade was designed, equipped, and trained to defeat the enemy and that had to be the Brigade's focus. The population was absolutely critical in finding and defeating the enemy, and a company commander had to be able to work with the population and local leaders, but he could not focus all of his efforts on the population and would be unsuccessful if he did so.

The term Counter Guerrilla derived from FM 90-8 which when the Brigade was in the process of generating was the only field manual that covered tactics in a counter-insurgency. FM 3.24 was published the year prior to our generation, but did not contain doctrine on tactics a company and battalion would employ in COIN. Thus, to establish a doctrine and begin training the Brigade, COL Tunnell used FM 90-8 as the underlying theory for how the Brigade would conduct operations. To make sure it was clear, he wanted Counter-Guerrilla to be used in all brigade internal products such as targeting briefs. When FM 3-24.2 was published in April 2008, the Brigade was already far into its generation and training for combat. We were in the process of beginning company EXEVALs and we did not want to begin using FM 3-24.2 immediately. However, by the time the Brigade deployed to Kandahar, the language that we used internally shifted and counter-guerrilla had been replaced by COIN in most of our internal documentation.

Once we were deployed to Kandahar, I believe we had a positive relationship with our higher headquarters and adjacent units. The Task Force Kandahar, the Canadian battle group with whom we conducted most of our coordination and TOA with in several districts worked closely with us to conduct a smooth transition. We additionally established mutually supporting fire support systems in central Kandahar Province, worked with their ANA advisors who supported our operations, and had LNOs permanently stationed in our TOC. In Zabul, we deployed a considerable portion of the Brigade's C2 capability to work with the Romanian Task Force and Zabul PRT. Other units in the area that we worked closely with included the aviation task force (82nd CAB) and 4/82 IBCT. Most importantly our relationship with our ANA partners was strong with the two brigades that we were partnered with. At this time our relationship with RC(S) was also positive. I believe that the RC(S) Dutch leadership and supporting staff members were willing to work with us to ensure mission success.

The relationship began to deteriorate with the RIP/TOA of RC(S) to the British 6th DIV in November 2009. One of the first actions of the new RC commander was to initiate a re-alignment of the combat forces across the RC. 5/2 was to assume a freedom movement mission along the main supply routes. We pushed back on this mission because we know that the enemy was conducting attacks along the MSRs, but planning, staging, and preparing off of the highways. The mission restricted us to the highways and did not allow us the flexibility of attacking the enemy to disrupt their operations. Additionally, this mission required a complete withdrawal out of several isolated outposts out of Zabul which caused considerable consternation among the Zabul Afghan civilian leadership who felt that we were abandoning them. After trying to work with RC(S) to compromise, we accepted the mission and executed as directed. Unfortunately this set the foundation for future interactions with the RC(S) leadership and staff and we as a Brigade pushed back on almost all other missions. Some push back was justified like the directive to move our entire brigade TOC to a smaller location that did not have the infrastructure to support C2 or life support and would have resulted in a considerable degradation of intelligence processing capability not only for our brigade but units throughout the RC. Our relationship also deteriorated with TF-K when a new TF headquarters RIP'd in November as well. I cannot determine exactly why this came about, but we continued to have a close relationship with the Canadian mentors to the ANA we were working with, but did not have much of a relationship with their HQ once their RIP was completed. Our relationship with other TFs was positive and mutually beneficial to include TF Leatherneck who we supported with a battalion during Marja, 82nd CAB along with the 101st CAB when they conducted RIP/TOA, the ANA 1st BDE, 205th Corps, and the highway militia in Shah Wali Kot (KAU).

Nothing Follows

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 3 OF 4 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, WA DATED 2010/11/16

9. STATEMENT (Continued)

~~(b) (6), (b) (7)(C)~~

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR (b) (6), (b) (7)(C)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16 day of November, 2010

at (b) (6), (b) (7)(C)
(Signature of Person Administering Oath)

BG Stephen Twitty
(Typed Name of Person Administering Oath)
Investigating Officer
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

16

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Joint Base Lewis-McChord	2. DATE (YYYYMMDD) 2010/11/16	3. TIME 1100	4. FILE NUMBER N/A
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS O-5/RA	

8. ORGANIZATION OR ADDRESS
4th Battalion, 9th Infantry Regiment (Manchu), 4th Brigade (SBCT), 2nd Infantry Division, JBLM

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

COL Harry D. Tunnell IV maintained a professional relationship with me during my two and a half years under his command (one year as the 8-1 Cavalry Squadron XO and 1 ½ years as his Brigade XO). It is my assessment that he maintained a professional relationship with his subordinate battalion commanders; however, I cannot speak to the closeness or the lack of closeness he shared with his commanders.

COL Tunnell developed the Brigade's Long Range Strategy (based on the MIT Delta Model) to assist him in making more informed decisions in Afghanistan based on measurable actions/activities/metrics. The document was initially shared with several field grade officers from the Brigade staff to help him refine his document. COL Tunnell subsequently shared the Long Range Strategy with his subordinate battalion commanders shortly before the deployment. He did not intend the battalion commanders to know his "lines of operation", but informed them that their assessments would feed into his strategy that was to be reviewed in a few months.

COL Tunnell directed several Leadership Professional Development (LPD) Programs focusing on the non-lethal approach in COIN and the human dimension of combat. Some of the LPDs and population focused initiatives included:

- Afghan specific guest speakers, to include Distinguished Professor (b) (6), (b) (7)(C) (considered at one time to be a candidate for President), (b) (6), (b) (7)(C) (for the original Iraq deployment plan), and other academics and subject matter experts in various terrorism and Afghanistan dimension related disciplines
- a Human Dimension LPD in November 2008 that included the "Nature of Segregation and survival strategies in segregated societies", "Establishing Programs and building "sweat equity" with indigenous societies", "US Military Involvement in post Civil War Reconstruction", "US Bureau of Indian Affairs", "Panel on Governance, Infrastructure, Tribes and Economic Considerations for Middle East societies", a brief on the Electronic Think Tank initiative, and "Business and Enterprise Development in Iraq"
- The Leader Development & Education for Sustained Peace (LDESP) COIN seminar between 30- 31 March 2009
- A two-day off-site LPD for company commanders and above in the summer of 2007
- Company Equal Opportunity Leaders (EOLs) attended a 40-hour Mediation training hosted by the Thurston County Dispute Resolution Center (<http://www.mediatethurston.org/>)
- He sent several officers to the Harvard's Program on Negotiations for Senior Executives, MIT Sloan School of Management's Executive Seminars, and other Executive Seminars hosted by Harvard.
- All company commanders in the Brigade attended a 3-hour negotiations orientation on the Mutual Gains Approach (MGA) to negotiations and how to utilize MGA as a tool for working through and with local leaders and in understanding underlying interests.
- 5/2 ID (SBCT) staff members, Fusion Cell planners, and BN LNOs attended a 3-day seminar hosted by the Consensus Building Institute on collaborative leadership and effective meeting facilitation to prepare them for working with external agencies to the Brigade (b) (6), (b) (7)(C)

10. EXHIBIT None	11. INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)	PAGE 1 OF 2 PAGES
---------------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM DATED 2010/11/16

3. STATEMENT (Continued)

- The Brigade offered Predictive Profiling training and Red Team Training down to the company level to assist commanders in understanding non-Western decision-making
- (b) (6), (b) (7)(C) sent (b) (6), (b) (7)(C) to the Wexley Advertising Firm for an Externship. It was a two-month long externship with the Wexley School for Girls advertising firm in Seattle to help design IO messages in order to reach non-traditional audiences who communicate by word of mouth and have limited literacy. *para 3(2)*

COL Tunnell handled investigations in garrison and in combat with the utmost professionalism. Of the investigation initiations I observed, he carefully reviewed reports to higher HQ to make sure the information presented accurate, timely, and complete facts without the bias. I conducted an informal 15-6 in garrison in October 2007, three months after arriving to the Brigade. He provided a detailed MFR establishing the parameters of the investigation, prevented any real or perceived undue command influence, and accepted findings of the investigating officer.

The Six Brigade Fusion Cells were Governance, Reconstruction and Development (GR&D), Population and Resources Control, Advisory Group, Intelligence Fusion, SOF/Consequence Management Fusion, and Tactical.

(b) (6),
(b) (7)

-----NOTHING ELSE FOLLOWS-----

(b) (6),
(b) (7)
(C)

(b) (6),
(b) (7)
(C)

(b) (6), (b)
(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b) (6), (b)
(7)(C)

PAGE 2 OF 2 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM DATED 2010/11/16

STATEMENT (Continued)

(b) (6),

(b) (6), (b) (7)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b) (6), (b) (7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11th day of November, 2010 at (b) (6), (b) (7)(C)

ORGANIZATION OR ADDRESS

(b) (6), (b) (7)(C) Administering Oath)

(b) (6), (b) (7)(C)

(Typed Name of Person Administering Oath)

Judge Advocate
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

STATEMENTS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 3 OF 3 PAGES

17



CDR

DEPARTMENT OF THE ARMY
2d BATTALION, 1st INFANTRY REGIMENT
2d STRYKER BRIGADE COMBAT TEAM, 2d INFANTRY DIVISION
BLDG 11871
JOINT BASE LEWIS-MCCHORD, WA 98433-9500

REPLY TO
ATTENTION OF:

AFZH-BDB

2 November 2010

MEMORANDUM FOR RECORD

SUBJECT: (b) (6), (b) (7)(C) Sworn Statement for 15-6 Investigation

1. The purpose of this sworn statement is to provide the written answers to specific questions fielded by the 15-6 investigating officer assessing command and operational climate of 5/2 SBCT and 3/B/2-1 IN. I will answer the questions in chronological order.

2. Leader Development in 2-1: As I took command in March 2009, I identified two immediate priorities: restoring morale among the Soldiers and Families of the BN and conducting a leader development program that properly prepared junior leaders for the conduct of combat/COIN operations in Afghanistan. The second of these priorities is relevant to the ongoing investigation. I assumed command from a previous commander whose command style was very prescriptive and directive in nature. He had also overseen a highly centralized training program to prepare for deployment. My assessment and corroborating feedback from Brigade leadership was that the previous commander managed the details of the Battalion at the lowest level to the detriment of leader capabilities in the platoons and companies. He did not develop or properly delegate to his subordinate leaders and the result was officers and NCOs that were highly proficient in directed tasks (ie core battle drills), but not prepared to operate in the ambiguous and complex COIN environment of Afghanistan. Therefore, up to deployment, we conducted bi-weekly LPDs with PSG and above leadership focused on COIN, COM ISAF Tactical Directives, Afghanistan-specific lessons learned (The Bear Went Over the Mountain and The Other Side of the Mountain) and ethical/tactical decision-making in COIN. These were scenario-based discussions among leaders of the potential moral, ethical, cultural and tactical challenges platoon leadership would face as they conducted long duration and distance patrols in a highly complex environment. They were also intended to reinforce the Army Values that junior leaders would have to act on as they made difficult decisions that ensured mission accomplishment while safeguarding their men as they conducted independent patrols and operations in a difficult operational environment.

Para 3f(2)
Para 3f(1)

3. COIN focus of 2-1: Our focus on implementing COIN principles within a Battalion operational design was initially based on my historical understanding of previous insurgencies, doctrine (FM 3-24 and FM 3-24.2), Afghan-specific cultural, tribal and socio-economic analysis and previous experiences conducting COIN in Diyala Province, Iraq from 2005-2006. 2-1 had a major advantage in its implementation of COIN

AFZH-BDB

SUBJECT:

principles because the Battalion "eased into" its operational environment as the Regional Command (South) Reserve for its first 6 weeks in country. As the RC (S) reserve during the 2009 Presidential Elections, we were NATO TACOM to RC (S), worked closely with the RC (S) staff on planning/executing missions that supported COM RC (S) intent and relied on 5/2 SBCT for primarily intell and logistical support. We were not thrust into a highly contentious and contested operational environment initially and had the opportunity to develop SOPs, systems and conduct planning for assumption of the Maiwand operational environment in a methodical and organized manner. Even after being placed back under the OPCON of 5/2 SBCT and assuming responsibility for Maiwand on 15 SEP 09, the RC and 5/2 SBCT main effort was in the Arghendab District. 2-1 was a supporting effort within the Brigade and as such was tasked with securing HWY 1 to restore RC (S) and LN freedom of movement. As 2-1 successfully drove the Taliban off the HWY and secured it in increasing depth, the Battalion simultaneously had the opportunity to conduct a deliberate reconnaissance and assessment phase in its implementation of COIN in Maiwand. The BN campaign plan benefitted from this deliberate process that was informed by hundreds of patrols, KLEs, populace/SOI engagements, shuras and TCAFP surveys that provided a detailed picture of the roots of instability in the district. *

3. 3/B/2-1 Platoon Leadership: (b) (6), (b) (7)(C) was a tactically competent platoon leader, but was still developing confidence as a young leader during the deployment. (b) (6), (b) (7) was a very experienced NCO with over 36 months of Platoon Sergeant time and a no-nonsense leadership style that didn't accept substandard performance. As we deployed, the two seemed like a good fit in terms of developing each other as they learned during the course of the deployment. However, 3rd PLT had some disciplinary infractions in late 2009 that caused me to direct (b) (6), (b) (7)(C) to counsel (b) (6), (b) (7) on his leadership style and enforcement of standards within his platoon. When the platoon had an M203 negligent discharge on the FOB in January 2010, I issued a letter of concern to both (b) (6), (b) (7) and (b) (6), (b) (7) and advised them that if they didn't get their unit's discipline under control that I would consider replacing them with someone that could. Following that administrative disciplinary measure, I received routine reports from (b) (6), (b) (7) that they were doing much better in the areas of leadership and discipline. In the Spring of 2010, as part of a routine leader realignment within the Battalion, (b) (6), (b) (7)(C) and I replaced (b) (6), (b) (7) with (b) (6), (b) (7) and (b) (6), (b) (7) with (b) (6), (b) (7) in March and April, 2010. The BN CMD GRP made this decision based on professional development considerations and not due to any failure on their part or a lack of faith in their capabilities at the time. The CSM and I wanted to get every leader in the BN an opportunity for the professional development that comes with leading men in combat. My SOP was to have all new lieutenants go through their integration into the BN serving as the BN TAC platoon leader. This way, I got a feel for their leadership capabilities and limitations prior to placing men under their command. It also afforded them an opportunity to go through the normal learning curve and stress that accompanies learning the standards, SOPs and TTPs of combat/COIN operations with the coaching of the BN CDR/CSM, and more importantly, not under the eyes of the men in their new line platoon. I had the opportunity to observe (b) (6), (b) (7)(C) during this period and was impressed with his

Para 3L(2)(a)

* *

Para 3I(2)

Para 3L(2)(i)

AFZH-BDB

SUBJECT:

competence, confidence, prior service skills and experience as a combat tested medic and his maturity. I did, however, recognize that 3/B had had previous disciplinary issues that, even though seemingly resolved, warranted consideration in the assignment of the new Platoon Leader. (b) (6), (b) (7)(C) appeared to be a good fit and just prior to moving to 3/B for his RS/LS transition with (b) (6), (b) (7)(C), I conducted my normal final counseling for an outgoing TAC platoon leader. During that counseling, I emphasized to him that he was joining a competent platoon, but the platoon had had disciplinary issues earlier in the deployment. I stressed the importance of his responsibilities for checking and supervising his NCOs and Soldiers and not taking things for granted. I highlighted that this late in the deployment, all leaders needed to combat complacency by being even more involved and vigilant for indicators that Soldiers and leaders were taking shortcuts or weren't doing things to standard. Finally, I told him to work closely with his PSG as a command team, but that ultimately, responsibility for the performance and conduct of the platoon was his responsibility. In the brief time that he served as the 3/B platoon leader prior to the May 2010 incident and since then, I neither witnessed nor am aware of any CID evidence that would indicate that (b) (6), (b) (7)(C) didn't serve with honor, integrity and competence. As a new platoon leader, he's led the platoon well through a very difficult period (due to the alleged crimes committed by its members), and continues to lead it in this manner as it goes through reintegration, the legal and disciplinary process and rebuilds the team for training for redeployment.

Para 3 L(2)(c)

4. HWY 1 Escalation of Force: On 27 JAN 10, 3/B encountered an Afghan man along HWY 1 near a culvert (preferred IED emplacement attack zone for Taliban). When the Afghan approached the patrol, acted erratically, refused to comply with orders to halt and lift his shirt the platoon conducted EOF procedures that included shouting, signaling, employing lasers and pen flares, warning shots and finally the use of deadly force. Considering the totality of the circumstances including EOF procedures, the fact that the BN had lost two Soldiers to a suicide bomber two months prior, (b) (6), (b) (7)(C) giving the order to fire, and the results of the investigation, I believe this was a legal, by the book EOF incident. However, CID investigation has determined that the AK-47 magazine found near the Afghan's body, seemingly confirming his status as an enemy OP for IED emplacement, was actually placed there by members of 3/B. I am uncertain why they would have committed an illegal act after demonstrating their training and good judgment during the EOF itself. EOF was one of the primary areas of focus within the BN during our mandatory monthly refresher training. There was, however, a significant effort at all leader levels to mitigate civilian casualties IAW COM ISAF's directives. Illegal activity is completely unjustifiable, but Soldier concern over scrutiny and/or possible investigation might have contributed to their poor decision-making and dropping the magazine.

5. 3/B Illegal Substance Abuse: A natural question is "how could these Soldiers have been smoking hashish on a daily basis without any Platoon leadership knowing?" I don't have an easy answer for that but can provide context. From September 2009 to March 2010, I believe it would have been very difficult for Soldiers to smoke hashish in their living areas without leadership being aware because their platoon leadership (PL,

*

AFZH-BDB

SUBJECT:

PSG and SL) lived and slept in each of their three shared squad tents. Smoking in the Strykers also risked discovery. However, from March to May 2010, smoking hashish without detection would have been easier due to the privacy afforded Soldiers after the platoon moved into containerized housing units (CHUs) in March 2010. The CSM and I were against moving Soldiers into CHUs and delayed doing this for months because we were concerned about the second-order effects on discipline, unit cohesion and the ability of leaders to monitor the behavioral health of their Soldiers when not in regular, off-duty, close proximity to their Soldiers. However, we relented in March when USFOR-A informed us that the multi-million dollar contract for the establishment/maintenance of the CHU MODs would be in danger if we didn't begin moving into the completed CHUs. FOB RAMROD was a large TF FOB that was in the process of being expanded into a BDE FOB, so there were plenty of other areas where Soldiers could have stored and used illegal or contraband substances away from leadership. Lacking a backbrief from CID on the timeline for substance abuse within the platoon, I tend to think the heavier use of illegal substances, however heavy it was, would have been later in the deployment for these access and privacy reasons.

2. POC for this memorandum is the undersigned at (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Commanding

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of November, 2010.

(b) (6), (b) (7)(C)

18

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

HORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

ANCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION ICORPS HQ, JBLM WA 98433	2. DATE (YYYYMMDD) 2010/10/29	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS E-7/ACTIVE	
8. ORGANIZATION OR ADDRESS S3, HHC 2-1 IN 2-2 IN BDE, JBLM WA, 98433			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Platoon discipline as a whole in 3rd platoon Bravo Company 2-1IN was lacking. I had observed the platoon while scanning the sector from the Tactical Operations Center with a UAV sleeping behind their vehicles. During a six hour patrol the platoon had pulled into a perimeter and with minimal manning on security gone to sleep. I actually confronted them after this and they said it was no big deal as nothing was going on in their sector, and that they would fix the security issue the next time by pulling their vehicles into FOB Pegasus, the ANA FOB to our west, and going to sleep. Platoon leadership interaction with the soldiers was low, after returning from patrol platoon leadership would return to their sectioned tents. Face time with leaders was minimal. Discipline broke down in this platoon because senior leadership let cohesion be controlled at a junior leader level, squad and team. Soldiers, who would never make poor choices when it was known they would be held accountable for their actions, were able to form their ideas of right and wrong. People who should have been setting the example were unavailable. *Para 3 L(2)(f)*

Urinalysis's were not regularly conducted while at FOB Ramrod. I only know of one urinalysis that was conducted during the entire time, which was of 3rd Platoon Bco after the allegations that they had been using drugs. When urinalysis was conducted urine had to be forwarded to home station under guard in order to be conducted. *Para 3 K(1)*

Companies received Counter-Guerilla streamers for guidons after final combat certification to focus units on the counter-guerilla mindset of taking the fight to the enemy. Streamers were attached to the company guidons during a battalion ceremony. *Para 3 K(3)*

At the level confusion I felt confusion in the coexisting concepts of countergeurilla and COIN. The counterguerilla tactics I understood concentrated on directly engaging the enemy, then returning to the FOB. Contact with the populace was solely to find the enemy and winning hearts and minds was crap. COIN is helping secure the populace, so they tell us where the enemy is or even better they find and stop the enemy themselves. A local taking the lead keeps an indigenous face on all conducted operations whenever possible. This reduces backlash to the ARMY as an oppressor and increases the effectiveness of every dollar spent. *Para 3g*

Coin inside of the Battalion was key to success of as I understood (b) (6), (b) (7)(C) intent units were to gain the trust and complete projects wherever possible inside of the Battalion area of operations, if enemy resistance was encountered we were to destroy the enemy, then return to helping the populace whenever and wherever possible. Gaining cell phone service inside the Maiwand was a priority for (b) (6), (b) (7)(C) so the positive message of what the Americans were doing for the Afghani people could be passed by the people. What I understood of the BDE message of counter guerilla concept was large-scale movement to contacts. Finding the enemy by flooding an area with soldiers providing the enemy with high priority, low risk targets to attack with IED's. From my point of view this did not work as every time we flooded an area the enemy would activate their IED's and hide until we left. *Para 3 (2)*

10. EXHIBIT	11. (b) (6), (b) (7)(C) MAKING STATEMENT	PAGE 1 OF 3 PAGES
-------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM DATED 2010/10/29

9. STATEMENT (Continued)

In Novemeber of 2009 (b) (6), (b) (7)(C) decided he training of the ANA and ANP was lacking so he would like to develop a program to train them at FOB Ramrod. Legion academy was conceived to bring in a two squads of ANA, two squads of ANP as well as team leaders from each company. The Idea was to integrate ANA and ANP creating a positive team building experience for them as well as teaching basic combat techniques. Young American team leaders were brought in to assist instructors as well as challenge the young leaders by giving them teams to lead and train. Standing the program up proved to be most difficult because BDE seemed to be uninterested in the program. The BN S3 (b) (6), (b) (7)(C) had to use his own contacts to run down ammo and basic curriculum from prior assignments MIT teams. By the second class of Legion Academy it was obviously a success, Afghan leaders were excited for their soldiers to attend, BDE leadership's interest was caught, and Legion Academy became a priority. Several congressional delegations came to FRR just to see our success in COIN, and the success of Legion Academy. As we were rotating out of Afghanistan, Legion Academy was spreading to other units in the Brigade.

(b) (6), (b) (7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM DATED 2010/10/29

9. STATEMENT (Continued)

(b) (6), (b) (7)(C)

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b) (6), (b) (7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____,

at (b) (6), (b) (7)(C)

ORGANIZATION OR ADDRESS

h)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)

PAGE 3 OF 3 PAGES

19

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

THORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION BLDG 11265, 2-2 ID (SBCT) HQ	2. DATE (YYYYMMDD) 2010/10/28	3. TIME 0907	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS O3/CPT	

BDE EN, HHC BDE, 2-2 ID (SBCT), JBLM, WA 98433

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

This document is to clarify comments made during an interview conducted by BG Twitty o/a 280800OCT10 in the I CORPS HQ building, room 119.

Before the 5/2 ID (SBCT) OEF deployment 09-11, Colonel Harry D. Tunnell made a speech after the pre-deployment ceremony rehearsal in Wilson Gym to the Soldiers in attendance. The speech was aimed to motivate, inspire, and provide drive in preparation for the impending deployment. COL Tunnell made references to the change of mission (Iraq to Afghanistan), the tough battles we were about to face, and the extremely tough scenarios we were about to execute. During the speech, it was obvious that his philosophy was to search, capture, and then destroy the enemy. To my memory, no reference of aiding the Afghan population was made. If I were to paraphrase the speech and my impressions about the speech in a single sentence, the phrase would be: "Let's kill those mother fuckers".

Referencing the ambiance of the brigade, the training executed prior to deployment, and the philosophy talked about during the pre-deployment speech and comparing those items with the mission focus of Afghanistan and General McChrystal's philosophy, there is a distinct disconnect. Although the battalions and companies conducted many governance type missions, the driving focus was to search and destroy the enemy. In my opinion, this focus was top driven, meaning the brigade leadership was pushing the philosophy onto the subordinate units. Being able to travel between, and work with three of the four maneuver battalions while I ran a route clearance package, and then working at the brigade level in the brigade engineer cell, I could sense confusion among the ranks and at times was confused myself when interpreting the intent of the brigade versus the intent of the Afghanistan focus (Afghanistan focus being pushed from echelons above brigade). My interpretation of the Afghanistan focus was to create an secure environment for the local populace, such that the Afghan people can establish a stable government, increase economic development, and be able to eventually protect themselves with help from the training by NATO forces. My interpretation of the brigade focus was to develop intelligence on the enemy, create targets of opportunity, develop and execute plans to engage and destroy the enemy, and then move onto the next 'search and destroy' mission. Without revealing mission details, it was a consensus of non-planners around the brigade TOC that the brigade would go into areas, do great work clearing and neutralizing threats, but did not establish long term plans to hold and build areas. Reference the clear, hold, build philosophy. In my opinion of the brigade philosophy, governance and population security came second to neutralizing the threat. It is an innate duty and responsibility to protect the allied Soldiers around a combat Soldier above all else. This philosophy is justified when in precarious situations; however, the guidance being pushed from the top was to protect Soldiers at all costs and no matter the circumstance. To protect the populace at ALL times seemed to be a foreign subject and was often pushed to the side.

It was mandated that all Soldiers read the new rules of engagement (ROE) and philosophy of General McChrystal. I was running an RCP at the time of the mandate and following the readings many questions arose. Based on the Soldier's questions, it was evident

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)	PAGE 1 OF 3 PAGES
-------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT 0907 (b) (6), (b) (7)(C) DATED 2010/10/28 (b) (6), (b) (7)(C)

9. STATEMENT (Continued)

that our operational focus and the Afghanistan ROE/philosophy were different. Based on the new directives, my RCP changed the manner in which we conducted our missions but yet still had fallback to the way we trained and the focus of the brigade, and I would assume most of the companies and platoons did as well. The COIN emphasis was talked about among Soldiers and leaders knowing that our mission focus was not in compliance. The brigade knew that our philosophy was counter-guerilla and threw in COIN when convenient.

END OF STATEMENT

NOTHING FOLLOWS

(b) (6), (b) (7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT 0907 (b) (6), (b) (7)(C) DATED 2010/10/28 (b) (6), (b) (7)(C)

STATEMENT (Continued)

(b) (6), (b) (7)(C)

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE (b) (6), (b) (7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of October, 2010 at BLDG 11265, 2-2 (SBCT) HQ

ORGANIZATION OR ADDRESS

(b) (6), (b) (7)(C) (Administering Oath)

ORGANIZATION OR ADDRESS

(b) (6), (b) (7)(C) (Oath)
Article 136 (B) (4) Judge Advocate
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 3 OF 3 PAGES

20

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION JBLM, WA 98433	2. DATE (YYYYMMDD) 2010/10/28	3. TIME :	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS O-4	
8. ORGANIZATION OR ADDRESS 2-1 IN, 2 BDE, 2 ID (SBCT), JBLM, WA 98433			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I arrived at Fort Lewis, WA at the end of June 2009 and joined 5/2 Stryker Brigade Combat Team (SBCT) at the beginning of July 2009 and deployed on 20Jul09 to Afghanistan, assigned as the Executive Officer (XO) for Task Force (TF) Zabul at Forward Operating Base (FOB) Lagman. TF Zabul was an ad hoc organization formed from the nucleus of the brigade Tactical Command Post (TAC) personnel and equipment, under command of the Deputy Brigade Commander, (b) (6), (b) (7)(C) charged with command and control of Zabul Province, Afghanistan as part of 5/2 SBCT's battlespace in Regional Command-South (RC-S). Lacking key staff enablers (e.g. a Judge Advocate General (JAG) officer and Public Affairs Officer), TF Zabul remained subordinate to and reported to the brigade headquarters, and it commanded 4-23 IN, 1-508 PIR (-), the Zabul Provincial Reconstruction Team (PRT), and the Romanian-American Battle Group (ROAM BG), composed of a motorized Romanian infantry battalion with an embedded US light infantry company from 1-4 IN at Hohenfels, Germany. This arrangement lasted from Aug09 to Dec09, when RC-S directed a major change-of-mission and re-alignment. From Jan10 to Mar10, the Bde TAC displaced to Military Operating Base (MOB) Lashkar Gah, the headquarters of (British) TF Helmand to coordinate with TF Helmand within whose battlespace 4-23 IN now operated on Highways 1 and 601 in Helmand Province and, along with TF Leatherneck, with whom 4-23 IN would operate as part of OPERATION MOSHTARAK, PHASE II, known colloquially as the clearance of Marjah and central Helmand. The Bde TAC was folded back into the Bde Tactical Operations Center (TOC) at the beginning of Apr10, and I served from then until redeployment (17Jul10) as the 5/2 SBCT liaison officer (LNO) to the headquarters of RC-S at Kandahar Airfield (KAF). *para 3C*

I have conflicted feelings on the climate within the brigade staff. There was a subtle but palpable feeling of fear among staff officers. Staff members were scared to go to the brigade commander with bad news or contradictory information, as in the emperor-has-no-clothes story. Although I do not remember the specifics of the incidents, on two occasions I called from Zabul province to talk with the brigade XO or S3 with information that they agreed with professionally but that they were unwilling to convey to COL Tunnell, which I found strange. I also found it odd and different from all previous units I had served with that the words "COL Tunnell" were almost never spoken—he was referred to almost exclusively by his call-sign (C/S), mostly (b) (6), (b) (7)(C) although it was originally the training C/S: "(b) (6), (b) (7)(C)" which was changed early-on due to another unit in theater already using this C/S. At the end of December and early January, while refitting the Bde TAC at KAF between missions, I participated in staff planning for the potential re-location of brigade command-and-control (C2) nodes, and I was repeatedly struck by how the staff stuck strictly to what they perceived as COL Tunnell's guidance, and they would develop courses of action that were not feasible or reasonable in their professional opinion, and no senior staff members were willing to seek additional guidance. Naturally, when inadequate plans were presented to COL Tunnell, he made massive changes in guidance which the staff again unquestioningly followed and developed. All these plans were subsequently dismissed as inadequate in a briefing to (British) MG Carter, the commander of RC-S, who was exasperated that a subordinate commander and staff could look at him and report that movement of a tactical headquarters from one FOB to another would take between 90 and 120 days. Based on how my peers reacted to COL Tunnell, I too developed an apprehension of briefing or interacting with him.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 4 PAGES
-------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, WA DATED 2010/10/28

9. STATEMENT (Continued)

But here is where ultimately I am very confused about the cause of this climate of fear and a "stunted" staff. In my personal interactions with him, COL Tunnell has always been very professional. As the LNO, I initially pushed information through the staff (b) (6), (b) (7)(C) although I found from interactions with the DCO (whom I had a particular rapport with due to serving as his TAC XO for nine months) that the information I was sending was just not getting to COL Tunnell, and I started to send information as his LNO directly to him. Even when the information on the climate, thinking, or decisions of the RC-S HQ was very much at odds with COL Tunnell's views, he never "shot" me as the messenger or bearer of bad news, and he was receptive to the information I sent, and as far as I could tell, he acted on the formal and informal information I was sending from his higher headquarters. Thus, although I don't think the staff climate was healthy nor did it encourage free thinking, my interactions with COL Tunnell don't indicate he directly caused this unhealthy staff climate.

As far as an impact of the Counter-guerrilla vs Counterinsurgency (COIN) philosophy on actual operations, I only saw one instance of this. In Zabul Province, after the August 2009 elections, 4-23 IN developed a fairly-decent (in my opinion) plan to implement a population-centric COIN strategy in accordance with the COMISAFs recently published (Jul or Aug 09) COIN Directive. It addressed four or five population centers (one city and a number of large villages) that seemed from intelligence reporting to be heavily Taliban-influenced. In each case, 4-23 IN planned a deliberate clearance operation followed by a plan to build a company- or platoon-sized joint (US and Afghan National Security Forces (ANSF)) combat outpost (COP) to hold this village and implement government, reconstruction, and development projects as part of the build phase of COIN. This plan was not received well during back-brief to COL Tunnell, and after being sent back to the drawing board, 4-23 IN re-emerged with a plan that was approved that focused much more on clearance operations (all proposed COPs were eliminated) with the repeated use of tactical tasks such as Interdict and Disrupt. Although on the surface this represents operations which are really not nested with the COIN principle, it can also be interpreted as a realization that Zabul as a whole was an economy of force mission where the force ratios were inadequate for doctrinal application of COIN. Additionally, 4-23 IN was still able to accomplish numerous GR&D projects in many of these same areas with the support of COL Tunnell. COL Tunnell did have a very dim view of any role for 5/2 in mentoring (outright prohibited) or partnering with ANSF units with Afghan partners being viewed only as a tool to help our troops get at insurgent forces. *

The relationship between 5/2 SBCT and RC-S (specifically, RC-S after 01Nov09, when MG Carter and (US) BG Hodges (as Director of Operations, DIROPS) seemed to me to be rocky from the start. After warning orders about the pending RC-S-directed change-of-mission where 5/2 SBCT would be responsible for Freedom of Movement (FOM) throughout RC-S battlespace, it was apparent to me that there was a professional disagreement between RC-S and COL Tunnell about the most-effective utilization of 5/2 SBCT (the largest formation in RC-S without significant "national caveat" constraints on its geographic or mission employment) from the amount of staff work done to present alternate or modified COAs and from the reluctance to adopt the RC-S-directed scheme of maneuver. When that scheme was ultimately adopted, the staff work seemed to be last-minute and minimal. There even seemed to be what I would consider irrational decision-making, both in regards to 5/2 SBCT maintaining or giving up responsibility for Zabul Province (and the ROAM BG) and also with the withdrawal of forces from Zabul, where a firing platoon of M777 155mm howitzers belonging to 5/2 SBCT were ordered out of an isolated COP to begin reset for undetermined future missions two days before 1-508 PIR could backfill indirect fire coverage with organic mortar systems. I was shocked that US Soldiers would be denied protection as a consequence of turf-wars and command squabbles. Para 3 h 2

In the last part of my tour, I had considerable more observations of the relationship between 5/2 SBCT and RC-S, its higher headquarters. I would summarize that relationship as professional, but cold and as minimized as duties and professional obligations would allow. MG Carter rarely interacted with COL Tunnell, and he seemed to prefer to have all interactions occur between BG Hodges and COL Tunnell. Forced into this role as hatchet man or bad cop, I got the sense that BG Hodges was very constrained in trying to allow COL Tunnell the flexibility to run his unit and accomplish his mission as is the norm in the US Army while still upholding the directives and intent of MG Carter. I would characterize BG Hodges as frustrated with 5/2 SBCT and COL Tunnell. On the other hand, COL Tunnell seemed to minimize interactions with his higher headquarters, rarely making personal appearances. This lack of interaction (although both HQs were based at KAF) also extended to the Bde staff. I would say that 5/2 SBCT was the least integrated of RC-S's major subordinate task forces (TFs Uruzgan, Leatherneck, Helmand, Kandahar, and Zabul) at the staff level, even though four of these other task forces had HQs which were not at KAF. Some of this was due to an informational architecture divide in that 5/2 SBCT chose to maintain its network on the US SIPR system with a handful of shared CENTRIX terminals available, whereas RC-S was on a CENTRIX-based architecture with a handful of shared SIPR terminals available. There were some active "back-door" channels maintained between 5/2 and RC-S staff members which were very effective (Intelligence out to Special Operations and 5/2 SBCT Commanders Emergency Relief Program (CERP) spending are two areas where RC-S could not stop singing the praises of 5/2's efforts).

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 4 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, WA DATED 2010/10/28

9. STATEMENT (Continued)

I think there was an ultimate mutual loss of confidence between RC-S and 5/2 SBCT. The straw that broke the camel's back was OP STRYKER GUARDIAN (aka SPRING GUARDIAN), a brigade-directed operation which was to take advantage of a traditional lull in fighting in April (west of Kandahar City) when nearly all able-bodied men would participate in the poppy-harvest. The operation was designed to air-moved Soldiers over historic IED-belts in western Zhari and Panjwai (along the Band-e-Timor green belt west of Kandahar City) to conduct cordons and key leader engagements with a number of villages which were traditionally isolated from ISAF and GIRoA forces and influence due to these IED-belts and insurgent concentrations. These operations would be night air movements by combined Afghan-US forces (in a ratio of about 1-to-4), followed by a day or two of patrolling/KLEs, followed by a night air exfiltration, and the chance of contact was estimated as very high. For about five weeks, there was a running staff battle between RC-S and 5/2 SBCT trying to gain approval for this operation, which both sides could agree was a significant shaping effort on behalf of 2/101's June 2010 assumption of responsibility in this same area of operations. With a changing series of hurdles presented sequentially that 5/2 SBCT met, approval ultimately foundered on ANSF participation in a joint ANA-US backbrief that MG Carter arrived at and after quickly concluding that the partner participation wasn't genuine or adequate-enough, he summarily dressed-down COL Tunnell in front of a large group of subordinates and Afghan National Army (ANA) partner leadership. In my opinion, the real disapproval of OP STRYKER GUARDIAN was because Marjah was continuing to be a "bleeding ulcer," and although COMRC-S could see the merits of the operation in shaping for future Kandahar efforts, he did not feel the operation was at the right time, due to a recent promise by President Karzai in a Kandahar shura to local elders that "Kandahar will not see operations like Marjah." After that (late April 2010) incident, both sides appeared to adopt an attitude of wait-until-5/2 SBCT rotates out of theater. On COL Tunnell's part, guidance went out verbally within the brigade that all remaining operations were to remain at a CONOP Level 0 (approval at TF Commander Level) rather than at Level 1 or 2 (RC-S or IJC-level approvals) unless absolutely necessary. In at least one future case, combat operations in 1-17 IN's area in May were constrained by this guidance, and one attempt to expand the operation to a battalion-sized response via a Level-1 CONOP was quickly disapproved by RC-S, and in the end, targets and intelligence were transferred to an Australian Special Forces unit (TF 66) which successfully predicted a force of 60-some insurgents. On RC-S's part, there was a general groan given at almost any mention of 5/2 SBCT. A number of foreign officers asked me around this time whether it was normal in the American Army that subordinates exercised active obedience.

As part of the summer surge of forces and the replacement of 5/2 SBCT by 2nd Stryker Cavalry Regiment (SCR), RC-S again directed a change of mission for 5/2 SBCT and another re-alignment of forces. In particular, 4-23 IN was to depart Helmand province and return to Zabul, and 1-17 IN was to spread from Shah Wali Kot district (north of Kandahar City and the Arghendab River Valley) up into Uruzgan Province. These moves were preliminary moves directed on the out-going unit to set the incoming unit up for success in its ultimate end-of-summer battlespace. Again, COL Tunnell and the 5/2 SBCT staff were professionally opposed to this re-alignment, viewing it as disruptive to continuity of effort in numerous locations, and there was another backbrief to MG Carter where alternate COAs were presented. MG Carter exclaimed in exasperation during this briefing that "to use a conventional battlefield analogy, you are telling me that it will take you 90 days to re-orient a battalion from my left flank to my exposed right flank—this defies common sense." Ultimately, this disagreement on SBCT utilization and the lack of mission continuity between 5/2 and 2SCR led to a very strained transfer of authority between 5/2 and 2SCR (it became more of an equipment sign-over and little remained of a traditional RIP/TOA). From within RC-S HQ, it almost seemed that if 2SCR could be brought into theater, provided with 5/2's equipment and never "tainted" by interactions with 5/2's personnel, RC-S would be all-the-better off.

On a side note about drug use in the unit, in Sep 09, I had reasonable suspicions based on a report of a Soldier in good standing of some illegal drug use by one or two Soldiers within TF Zabul's support staff. I inquired about urinalysis testing through the Brigade Special Troops Battalion (BSTB), the command authority for the staff, but found out there was no ability presently within the Afghanistan AOR to conduct urinalysis. Although that didn't sound right (tests in garrison are mailed off to Tripler for testing and mail service was functional), the staff JAG opined that absent a urinalysis we did not have a case, and I left the incident at counseling and increased supervision by the chain of command. I was aware of no other incidents of illegal drug use in the unit.

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 4 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM DATED 2010/10/28

STATEMENT (Continued)

There was never any indication of any CIVCAS cover-ups that I saw. As LNO, I was in the chain following-up on these incidents, and other than some reports being late, the brigade (and subordinate units) were responsive to requests for First and Second Impression Reports (1IRs, and 2IRs) and the Initial Investigation Report (IIR), which was normally replaced by a US-directed 15-6. On the one occasion (4-23 IN release of aerial munitions against a civilian compound in the vicinity of Yachktal in Helmand Province, where a platoon leader exceeded his authority by the brigade's tactical directive) where IJC deployed a (Dutch) general-officer-led Initial Assessment Team (IAT), full support was given by the unit in providing security for their visit to the site, and follow-on shuras and compensation to the affected families and villages was emphasized and checked on by brigade on this and other incidents. I did not see any evidence that civilian lives were not valued or that reports of potential CIVCAS incidents were covered up or downplayed. *Nothing Follows* (b) (6), (b) (7)(C)

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. (b) (6), (b) (7)(C)

(Typed Name of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of October, 2010

at

(b) (6), (b) (7)(C)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

21

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION JBLM-North, WA 98433	2. DATE (YYYYMMDD) 2010/11/01	3. TIME 1300	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS E-8/1SG	
8. ORGANIZATION OR ADDRESS HHC 1-17 IN REGT, 2-2 INF BDE			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

From the very inception of the BDE, counter guerrilla had been the focus. We had streamers on our guidons, it was widely accepted as the way we were going to operate. Although counter guerrilla warfare is a subset of counter insurgency warfare, at no time were we given any kind of training on how one supported the other. I think there was a distinct lack of training throughout the BDE on this subject.

When we first arrived in Afghanistan, we were given a copy of Gen. McChrystal's guidance on counter insurgency. After reading it I immediately realized that the kinds of operations that I assumed we would be conducting would have to be altered to fit this strategy. We had received in depth training on kinetic warfighting throughout the generation period on through our NTC rotation. I knew that the expectation was to attack the enemy at every opportunity, and that expectation wasn't perfectly aligned with the guidance from the RC South Commander. We were trained to always be enemy focused and only be population focused in such a way that allowed us to attack the enemy.

OPPORTUNITY HOLD was our first big operation in our sector. It was a designed clearance operation that I thought was to set us up to become population focused and start affecting people who were on the fence about supporting ISAF. Upon its completion, the Battalion was arrayed in population centric combat out posts in order to focus on the population centers that were all on the periphery of the heavily vegetated area along the Arghendab river. I was surprised to find that the BDE CDR was unhappy with this and made us relocate to areas that weren't co-located with the major population centers. We then began to conduct more Company and Battalion clearance operations in the unpopulated enemy infested area along the river. This effectively stopped us from developing ties with the local population leaders and affecting larger towns that were in our sector.

These type of operations dominated our entire time in that sector. Time and again we would go for a day or three days into this unpopulated area and search for the enemy. Rarely did we see or talk to anyone, as the local villagers had moved to other towns and abandoned their property. This is specifically addressed in Gen. McChrystal's guidance and is directly in violation of it. It speaks specifically about going into areas with a low population density for short duration and then leaving. It tells everyone that this is not the desired course of action; however, that is what we did on a daily basis. All of this conflicted with our efforts to win the support of the locals.

Another example of our BDEs enemy focus is that all governance assets were in the Special Troops Battalion. This created a problem because personnel with particular skill sets needed for counter insurgency were typically unavailable to the battalion. They were widely spit across the entire BDE AO and unable to mass their force to target a specific area. We were basically unable to bring to bear all the resources that should have been made available to the main effort. This was a distinct lack of interest by the BDE commander because as I stated before, we were completely enemy focused the entire time.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)	PAGE 1 OF 3 PAGES
-------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM-North DATED 2010/11/01

9. STATEMENT (Continued)

NOTHING FURTHER

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM-North DATED 2010/11/01

STATEMENT (Continued)

THING FURTHER

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. (b) (6), (b) (7)(C) UT

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2nd day of November, 2010

at (b) (6), (b) (7)(C)

Judge Admire
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION JBLM-North, WA 98433	2. DATE (YYYYMMDD) 2010/11/01	3. TIME 1300	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS E-8/1SG	
8. ORGANIZATION OR ADDRESS HHC 1-17 IN REGT, 2-2 INF BDE			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

My company was located at the Joint District Center in the southern Arghendab River Valley. Shortly before (b) (6), (b) (7)(C) was informed that he was going to change command, COL Tunnell along with his PSD showed up to spend the night and check on us. He was on a routine battlefield circulation patrol out to units in sector and we were an easy way station along his route to overnight at. (b) (6), (b) (7)(C) had confided in me that he was unhappy about the current track that the unit was taking for operations. He let me know that he thought we were too enemy focused and were neglecting major population centers in our sector. He thought that Battalion level clearance operations were the wrong strategy and that we should more closely align with the guidance put out by Gen. McChrystal. I agreed with him. He then told me he thought that he should approach the BDE CDR with his ideas. He wanted to express his concerns personally and try to convince the BDE CDR that we should focus on the larger population centers in our area of operations versus continuing to execute clearance operations in an IED ridden area with low population density. I told him that I was sure that COL Tunnell could not be convinced that this was a better strategy. I also felt that approaching him with these ideas could be perceived as subversive and may be detrimental to his career. That night I overheard (b) (6), (b) (7)(C) talking with COL Tunnell about the things that (b) (6), (b) (7)(C) had confided in me about. (b) (6), (b) (7)(C) told him all of the things that we had discussed. Soon after that, once again conducting another of these types of operations we had a mass casualty event. Later that day or early the next, (b) (6), (b) (7)(C) was informed that COL Tunnell was worried about him and that he would be changing command.

NOTHING FOLLOWS

para 3 i (4)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)	PAGE 1 OF 3 PAGES
-------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM-North DATED 2010/11/01

9. STATEMENT (Continued)

NOTHING FURTHER

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM-North DATED 2010/11/01

STATEMENT (Continued)

NOTHING FURTHER

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITH-
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE (b) (6), (b) (7)(C)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2nd day of Nov, 2010
at _____

(b) (6), (b) (7)(C)

(Signature) _____ (Title)

(Typed Name of Person Administering Oath)

Judge Advocate
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION JBLM-North, WA 98433	2. DATE (YYYYMMDD) 2010/11/01	3. TIME 1300	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS E-8/1SG	
8. ORGANIZATION OR ADDRESS HHC 1-17 IN REGT, 2-2 INF BDE			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On several occasions, I had gone up to the BN S-3 shop to inquire about future operations that our Company would be conducting. On one specific occasion, they informed me that the Battalion was going to conduct OP FOCUS HOLD. It was in fact another BDE Clearance operation in which the BDE would send us another company to bulk up the numbers in our AO. I believe that this was a knee jerk reaction to the mass casualty event that took place in the riverbed that killed nine members of our team. Our BN planners disagreed with this course of action and the AWG assessment team that had been with us for three weeks disagreed also. I asked the S-3 about this and he told me that the Battalion was going to conduct key leader engagements in population centric areas. They were going to brief to the BDE that ambushes, raids, and armed reconnaissance patrols were being conducted. They felt that they briefed what they believed to be the best course of action, it would be denied because it was not enemy focused. The difference between what was being briefed on the slides and what we were conducting were action changes not intent changes.

NOTHING FURTHER

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)	PAGE 1 OF 3 PAGES
-------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM-North DATED 2010/11/01

9. STATEMENT (Continued)

NOTHING FURTHER

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM-North DATED 2010/11/01

STATEMENT (Continued)

THING FURTHER

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

I, (b) (6), (b) (7)(C), do hereby
administer oaths, this 2nd day of Nov, 2010
at (b) (6), (b) (7)(C)

(Typed Name of Person Administering Oath)

Judge Advocate
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION JBLM-North, WA 98433	2. DATE (YYYYMMDD) 2010/11/01	3. TIME 1300	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS E-8/1SG	
8. ORGANIZATION OR ADDRESS HHC 1-17 IN REGT, 2-2 INF BDE			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

From the very beginning, through all the training, and well into the deployment, attacking enemy formations and killing the enemy was the only focus. Very little attention was paid to the daily administration for the BDE, and very little focus was on living conditions for outlying combat out posts. I was literally fending for myself on things that I needed to upgrade the standard of living for my men at our company HQ. Things were very expeditionary for a long time. This didn't bother me that much considering that we were busy patrolling and trying our best to influence the people in our sector. I felt some pressure from (b) (6), (b) (7)(C) and from COL Tunnell to improve our conditions and, while I tried to get the things that we needed, I received basically no support from either my BN or my BDE HQ. It wasn't until change of mission that our Battalion began to change and help my Company out with materials needed. I believe that there is a direct correlation to how sloppily we redeployed and the fact that we never received a deployment order from BDE. I think that we never received a redeployment order because the focus never came off of the enemy and transitioned to how the unit was going to leave theatre. I also believe that the challenges we face now on administrative actions and awards are also directly correlated to the BDE CDRs inability to focus on anything other than the enemy.

NOTHING FURTHER

EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM-North DATED 2010/11/01

9. STATEMENT *(Continued)*

NOTHING FURTHER

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM-North DATED 2010/11/01

STATEMENT (Continued)

THING FURTHER

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY (b) (6), (b) (7)(C) STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECT PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FRE THOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL IN

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2nd day of November, 2010 at (b) (6), (b) (7)(C)

_____ Oath)

(Typed Name of Person Administering Oath)

Judge Admunt
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION JBLM-North, WA 98433	2. DATE (YYYYMMDD) 2010/11/01	3. TIME 1300	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS E-8/1SG	
8. ORGANIZATION OR ADDRESS HHC 1-17 IN REGT, 2-2 INF BDE			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I first met (b) (6), (b) (7)(C) in drill sergeant school. He was a friendly enough guy but seemed to lack self confidence. He wasn't confident in his tactical ability or his leadership ability. He lacked experience in troop leading because his only other deployment was spent on a BDE staff.

We met back up again in the early generation time in the BDE. We were assigned to the same battalion and to separate companies. He again appeared to be a weaker leader that was unsure of himself. His company always seemed to struggle and was widely regarded as the worst company in the battalion, especially in the early days.

I believe that (b) (6), (b) (7)(C) needed a strong 1SG to professionally develop him as a PSG. He unfortunately had (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). Both of whom had their own problems as leaders. I think that this series of events directly correlates to the problems experienced by his platoon in Afghanistan.

NOTHING FURTHER

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)	PAGE 1 OF 3 PAGES
-------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM-North DATED 2010/11/01

9. STATEMENT (Continued)

NOTHING FURTHER

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM-North DATED 2010/11/01

STATEMENT (Continued)

THING FURTHER

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12th day of Nov, 2010

at (b) (6), (b) (7)(C)

(Typed Name of Person Administering Oath)

J. E. Advocate
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 3 OF 3 PAGES

22

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT**AUTHORITY:**

Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE:

To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES:

Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE:

Disclosure of your SSN and other information is voluntary.

1. LOCATION JBLM, WA	2. DATE (YYYYMMDD) 2010/10/27	3. TIME 2000	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS O-3	
8. ORGANIZATION OR ADDRESS HHC, 1-17 IN, 2-2 (SBCT) ID, JBLM, WA			

9.

I, (b) (6), (b) (7)(C)

, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During 5-2 SBCT deployment in Southern Afghanistan, I served as battalion chaplain to 1-17th Infantry. None of the following comments are derived from chaplain/confessor confidential conversation, privileged communication, or any formal act of religion but are solely my observations based on first person experience, public conversation with Soldiers, or communication from Soldiers to me with their stated goal of improving morale/welfare within the unit.

Many Soldiers in 1-17 have expressed to me or publicly that they believed the BCT's Counter-Guerilla (CG) strategy was in defiance of the COIN strategy we were supposed to be following. That the BCT CDR was dedicated to CG was clear to us before we deployed, when he visited each company and gave the companies "counterguerilla" streamers to be hung from their guidons and spoke to the companies about the importance of the CG training they had been conducting. As a chaplain, I was not well-versed on differences between CG and COIN and had no idea that these would be at odds with one another. At NTC, I became aware that the BCT considered our BCT "very aggressive" and somewhat out of step with a COIN fight. In the first few months of our deployment (August to November 2009), I watched as our BN conducted mission after mission in the Arghandab River Valley (our Southern AO). The pace was hectic and it felt rushed and poorly planned. It was at this time that I heard a lot of discussion among Soldiers (especially NCO's and LTs) that we were running the wrong strategy. They strongly believed that we were fighting in the way the BCT CDR wanted in defiance of GEN McChrystal's orders (CG vs. COIN). The Soldiers complained that they didn't have time to conduct COIN (KLE meeting and working with the local populace) because they were constantly running clearing operations. They saw these operations as useless because they believed areas were being cleared and then not held. They also saw these operations as essentially picking fights with the Taliban, which resulted in Taliban killed, but turned the local populace against us because these Taliban were relatives of the local populace. Many Soldiers believed we were creating more Taliban by upsetting the local populace. Our Charlie company was the most vocally upset about this discrepancy and posted quotes from GEN McChrystal in their CP at the JDCC (in our Southern AO). One sign posted read: "Apparently COIN stands for Counterguerilla Operations In November." The perception of the BCT's aggressiveness and CG-in-defiance-of-COIN would eventually lead to Soldiers referring to the BCT's motto: "Strike and Destroy!" in a mocking way. Near the end of the deployment some Soldiers would refer to anything that was jacked-up, or poorly planned, or overly-machismo with a mock "Strike and Destroy!" Or in reference to disgust with the BN, Soldiers would say, "Well, it's a Buff Life" meaning it was a Buffaloes lot in life to be mistreated. Upon redeployment, this perception of CG vs. COIN was solidified by the (b) (6), (b) (7)(C) painting sold through our BCT. It was created during the deployment (assumedly under the BCT's guidance) and in prominent display above the battle scene on the print is a streamer that reads: COUNTERGUERRILLA.

Many Soldiers (all ranks) expressed that they believed our BN CDR did whatever the BCT CDR wanted without looking out for their best interests. They expressed that they believed he was afraid to give the BCT CDR info or observations that would defy him in any way.

10. EXHIBIT	11. INITIALS OF (b) (6), (b) (7)(C) STATEMENT	PAGE 1 OF 4 PAGES
-------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

(b) (6), (b) (7)(C)

TAKEN AT

JBLM

DATED

2010/10/27

STATEMENT

(Continued)

I am in agreement with that observation. It seemed that our BN CDR's over-riding concern was looking good to his boss. He did not want to appear to contradict him in any way. One example of this was in the planning of the memorial for (b) (6), (b) (7)(C) who had been killed as a member of our Alpha company. (b) (6), (b) (7)(C) had only been with A co for one month. Prior to this he had been a member of the BCT's headquarters' company and worked as a mail clerk until disgust with his work performance got him fired and moved down to 1-17. As we were planning for his memorial, the BCT CDR decided that the memorial would be conducted by the BCT headquarter's company outside of our AO. This decision infuriated the Soldiers of A co. When I advised my BN CDR that this action was not good for our Soldiers' morale or healing and suggested that we conduct two memorials (one with A co and one with the BCT) or that he talk with the BCT CDR to try to change his mind based on our Soldiers' feelings, my BN CDR acted upset that I would "dare" advise him in this way, and he said, "No, the BCT CDR has made his decision and we are not going to show him our ass in any way." In this instance, as well in others I observed that our BN CDR related to the BCT CDR in the same way he expected his subordinates to relate to him: which was a blind reception of orders with little opportunity to offer a view-from-under-those-orders. Prior to the deployment and during the deployment, I heard 1-17 company commanders complain that the BN CDR did not listen to them and took feedback like defiance. They did not feel like they were heard by him. I heard BN staff observe that the BN CDR needed to form better relationships with the company commanders but he would not. Some guys also observed that anyone who tried to give him advice (to improve the way he did things) was treated as if they were insubordinate and put on the "shit list." I heard that one improvement that some officers and NCOs had attempted to urge on the BN CDR was to get rid of the BN CSM but found themselves on the shit list instead. On 18 AUG 08, one of those BN CDR/CO CDR relationships completely broke down during an operation into the orchards where two Soldiers were KIA and one LT lost both his legs. While the Soldiers under (b) (6), (b) (7)(C) command (B CO CDR) were looking for (b) (6), (b) (7)(C) body they sustained more WIA to the point where the BN CDR ordered (b) (6), (b) (7)(C) to give up the search and pull out. Soldiers at the operation report that (b) (6), (b) (7)(C) was openly defiant on the radio and some report that he basically turned off his radio to continue searching a little bit longer. I believe that because (b) (6), (b) (7)(C) did not trust (b) (6), (b) (7)(C) to hear him he made the decision to follow the Army Value: I will never leave a fallen comrade, in spite of the consequences that could follow from disregarding the order. (b) (6), (b) (7)(C) body was not found. The fall out from this event was that some Soldiers distrusted our BN CDR for leaving a fallen comrade and other Soldiers distrusted their CO CDR for keeping them in harm's way when he was ordered to get them out of harm's way. (b) (6), (b) (7)(C) barely spoke with (b) (6), (b) (7)(C) after this event and the BN staff treated (b) (6), (b) (7)(C) like the odd man out as he was on the shit list.

par 3 (42)

In my opinion, 1-17 IN was not a very disciplined unit except for pockets where there was strong NCO leadership. I think the cause of the lack of discipline was due to the dysfunction in command relationships and due to a very uninvolved CSM. This lack of discipline I believe is partly to blame for why some of our Soldiers were KIA and WIA. Lack of basic disciplines like PCCs and PCIs and good convoy briefs led to Soldiers doing whatever they pleased as far as seatbelts and "safety lines" for those in airguard positions, which eventually contributed to the death of (b) (6), (b) (7)(C) in a rollover accident on 04 MAR 10. After that date, the BN started getting serious about seatbelts. Likewise I believe a lack of tactical discipline contributed to other KIAs and WIAs. Examples of this was the way our convoys neglected to check culverts for IEDs prior to the deaths of four Soldiers on 25 AUG 09. Another example is when one platoon failed to dismount their Strykers prior to rolling over a suspicious chokepoint (when the platoon right in front of them did dismount in order to minimize the risk of getting an entire Stryker full troops killed) and the end result was 7 Soldiers and 1 Interpreter KIA by a massive IED hidden in that chokepoint and detonated by a patient triggerman (27 OCT 10). Another example on 05 NOV 10, involved using a Stryker to deliver MREs and water to a patrol base using a very dangerous road when these supplies could have easily been rucked in from the COP nearby thereby minimizing some of the risk. This resulted in 2 KIA and 2 WIA. These types of basic and tactical disciplines must be learned prior to deployment. I have heard from those I consider the disciplined NCOs comment that they don't think these disciplines were practiced prior to deployment.

The BN CSM was not very well respected among the NCOs, officers, or junior enlisted. I heard him referred to as ROAD (Retired On Active Duty). Upon arrival at FOB Frontenac his immediate concern seemed to be getting his chu set up with AFN and internet while the Soldiers were already in some heavy fighting and dealing with some miserable conditions. He did not seem to want to leave the FOB, and it seemed that the BN CDR had to drag him out to visit the guys outside the wire. He liked to pride himself on being a tough dealer of punishment to Soldiers in trouble. Likewise, he would not recommend a Soldier be granted emergency leave to see dying or dead relatives in cases of Loco Parentis unless that Loco Parentis had been recorded by BN prior to deployment. I do not believe that all Soldiers had ample opportunity to record Loco Parentis prior to deployment.

IALS OF PERSON MAKIN (b) (6), (b) (7)(C)

PAGE

2

OF

4

PAGES

STATEMENT OF

(b) (6), (b) (7)(C)

TAKEN AT

JBLM

DATED

2010/10/27

STATEMENT (Continued)

The BN CSM then redeployed with the Torch party almost two whole months prior to the last flight with the excuse that he needed to attend his son's graduation from high school. In my opinion, he abused the advantages and privileges of his rank and his behavior reduced morale in 1-17 and faith in command. His basis for staying on FOB Frontenac was to supervise improving the living conditions on the FOB. But this also led another morale problem. As FOB Frontenac was built up and became nice with good chus, internet, DFAC, etc., the difference between the living conditions that Bravo and Charlie company had with that of Frontenac where magnified. The refit plan for platoons had a ratio like 7:2 (7 days on mission and 2 days at Frontenac). The problem was that the refit plan was barely ever taking place. The COPs were so far away by the safe route and missions constantly threw off the refit plan, so that guys would miss their refit entirely or only have 4-8 hours before they would turn around and go back out. Until our mission change in December, this situation fostered a "we" vs. "them" mentality. Both Bravo and Charlie companies had extremely low morale. Their morale drastically cheered when they started to operate out of Frontenac and to have a reasonable refit cycle but their loathing of BN staff and command did not change.

pwr 3k(2)

I think low morale, a rushed pace, and hardships contributed to a bit of entitled mentality that because they are "real warriors doing the real deal" they don't have to follow all the rules and standards that other Soldiers on KAF or in garrison would. It was an environment where it was hard to discern what the standard was and what would be enforced. Instead of a uniform UCMJ, there was a buddy code of military justice practiced where NCOs would let Soldiers get away with standard violations as long as the Soldier was their buddy and ultimately did what they said and did not embarrass the NCO in some way. But if the Soldier was not their buddy, then that Soldier could expect to be disciplined for the most minor infraction of the standard (which others were not practicing). These "entitled" standard's violations did not include war crimes or illegal activities, but they did include the tolerance of unprofessional behavior that went against COIN and could undermine the US public's support for our mission. Examples include how Soldiers responded to children throwing rocks at them while riding past their village. Some Soldiers threw candy back which seemed to stop some of the children. Others fired pen-flares near the children's location (but not at them) in order to warn them. Some Soldiers kept rocks on the Stryker to throw at children who threw at them. Another example is Soldiers who cursed at locals and would say obscene things to them and to children because they knew the locals did not speak English. Another example is for NCOs who abused their rank and would dole out punishments outside of regulations and in the realm of "hazing."

ne case of the buddy code which I observed was regarding (b) (6), (b) (7)(C). Later in the deployment, everyone who hadn't gone outside the wire and get a taste of combat were told that they would go outside the wire for combat experience (including staff). (b) (6), (b) (7)(C) worked in S1 and was told he would go on a combat convoy and serve as an airguard. His S1 NCOIC told him not to participate in anything beyond that. He was placed in a Stryker with Soldiers and an NCO that he didn't know from a different company. A very quick convoy brief was conducted but nothing was said to (b) (6), (b) (7)(C) other than that he would be an airguard. The guys in the Stryker harrassed him about being a Fobbit and not an infantryman and (b) (6), (b) (7)(C) attempted to joke along and take it in stride. At one of the stops, the NCO in the Stryker ordered (b) (6), (b) (7)(C) to get out and go clear the culvert. At first, (b) (6), (b) (7)(C) thought he was joking, but when it became clear that he was serious, (b) (6), (b) (7)(C) said, "I am not trained to do that. It is very dangerous and I don't know how to." The situation soon escalated over (b) (6), (b) (7)(C) refusal to obey an order. (b) (6), (b) (7)(C) basically shut down and refused to participate in the rest of their orders for the rest of the trip. When I confronted (b) (6), (b) (7)(C) regarding this situation and said that command was at fault for placing (b) (6), (b) (7)(C) in a dangerous situation with no training and no advanced notification that he would be conducting such a mission, he said it did not matter. He said all that mattered was the fact that (b) (6), (b) (7)(C) had refused a direct order. (b) (6), (b) (7)(C) received an Article 15 for this incident. I believe (b) (6), (b) (7)(C) was set up for failure and received buddy code justice. This incident eroded my confidence and other's confidence in justice at 1-17 as everyone who knows (b) (6), (b) (7)(C) knows what a good Soldier he is.

Another event which Soldiers have spoken to me about and which undermined their trust in the leadership happened during Operation Blowfish. Soldiers of 1st Platoon Charlie Company ran out of water and some became so desperate that some drank their own urine. When I told the BN CDR about the incident, he sternly told me that it did not happen. The Soldiers were so angry that they vowed to report it to IG and beyond.

End of Statement

Nothing follows

(b) (6), (b) (7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 3 OF 4 PAGES

STATEMENT OF

(b) (6), (b) (7)(C)

TAKEN AT

JBLM

DATED

2010/10/27

9. STATEMENT

(Continued)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL

(b) (6), (b) (7)(C)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 day of OCT, 2010 at 11

(b) (6), (b) (7)(C)

(Signature)

(Typed Name of Person Administering Oath)

Judge Advocate
(Authority To Administer Oaths)

PAGE 4 OF 4 PAGES

23

(p)

(3)

(B)

24

(b) (3) (B)

25

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Fort Benning, GA	2. DATE (YYYYMMDD) 2010/11/09	3. TIME 1045	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS CPT/O-3	
8. ORGANIZATION OR ADDRESS US ARMY ARMOR SCHOOL			

9. (b) (6), (b) (7)(C) . WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was initially assigned to 5/2 ID (SBCT) (now re-flagged as 2/2 SBCT) in April 2007. My first duty assignment within the BDE was as the BDE Plans Officer. In this capacity, I worked closely with the BDE Commander (COL Tunnell) as he developed the Counterguerrilla (CG) framework for operations in Iraq and then Afghanistan. Because of my duty position, I often assisted in developing briefing products, training OPORDs and FRAGOs, and BDE internal correspondence that helped the BDE CDR formalize the CG framework throughout the BDE. Further, because I had to understand COL Tunnell's intent, he often took time to explain in detail to me his understanding of FM 90-8 (Counterguerrilla Operations) and I used the FM myself to research CG operations in order to be able to effectively communicate the BDE CDR's intent. Because of my unique position and ability to focus on the CG framework, I felt that I had a very good understanding of not only the CG doctrine, but also how COL Tunnell selected leaders within 5/2 ID (SBCT) to execute CG operations in combat. After I took command of A/8-1 CAV in November 08, I found that my fellow Company-level Commanders did not have as thorough of an understanding of either the Commander's intent or the CG Operations as I did. I believe that there was confusion at the Company level in the competing doctrines of Counterguerrilla and COIN. Commanders who had observed the success of COIN in Iraq had difficulty resolving the enemy focus of CG Operations with the population-focused COIN. I felt that their inability to see the possibility of the success of CG Operations was a function of their misunderstanding of the doctrine and their mistaken belief that the central theme of CG Operations (to separate the enemy from the population) negated the employment of non-lethal and non-kinetic lines of operation. At the same time, I observed that Battalion Commanders often decided to pursue a more COIN-focused campaign plan. The focus on COIN at the BN level resulted in successes that met COL Tunnell's intent, namely separating the enemy from the population. Throughout the Brigade, Counterguerrilla Operations became more of an identity for the Soldiers and leaders within 5/2 ID (SBCT) than either a tactical imperative or a cohesive campaign plan. As the first Stryker BDE in Afghanistan and an organization that closed with and engaged the enemy frequently, it was a distinction that separated the BDE (for better or worse) from the rest of RC(S).

I deployed as the A/8-1 CAV Commander in July of 2009. A/8-1 CAV was attached to 2-1 IN (TF Legion). Once we had consolidated in Kandahar Airfield and completed the RSOI process, we were re-task-organized. I maintained one of my original reconnaissance PLTs (1/A/8-1 CAV) and gained 2 x IN PLTs from 2-1 IN: 3/A/2-1 IN and 3/B/2-1 IN (3/B/2-1 IN is the focus of this investigation and is hereafter referred to as 3PLT). This task organization occurred within 72 hours of our first combat mission in Afghanistan, which was a Troop-level operation in support of the Afghan Elections. This was the first opportunity I had to meet the leadership of the 2 x PLTs attached to me. (b) (6), (b) (7)(C) was the PL of 3PLT. My initial impression of (b) (6), (b) (7)(C) was that he was very inexperienced and potentially a liability. As a brand-new PL, he had never been on a Stryker, let alone led a PLT, and especially not one in combat. As the months progressed I felt that he became both more confident and more tactically sound in his decision-making, but initially I was shocked. (b) (6), (b) (7)(C) was the Platoon Sergeant for 3PLT. He struck me as technically competent and was immediately responsive to both me and the ISG, which was a benefit in the first few hectic weeks of the deployment. I felt he lacked the tactical expertise that I would have liked in a senior NCO, but was relieved to have a

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)	PAGE 1 OF	3 PAGES
-------------	--	-----------	---------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT. AND PAGE NUMBER MUST BE INDICATED.

*
Para 3(1)*
Para
3(2)
(1)
*

STATEMENT OF (b) (6), (b) (7)(C)

TAKEN AT Fort Benning, GA

DATED 2010/11/09

9. STATEMENT (Continued)

responsive PSG within the platoon. The platoon seemed to progress steadily, becoming more tactically proficient and cohesive as the deployment continued. (b) (6), (b) (7)(C) came to 3PLT in NOV 09, reassigned from the BDE CDR's PSD. My initial impression of (b) (6), (b) (7)(C) was that he was a quiet and tactically sound Soldier who benefitted from several previous deployments. As the deployment continued, however, I observed that he did not exhibit the same ease of communication with either subordinates or superiors that the other Squad Leaders within 3PLT had. I was able to converse with the other SL throughout the Troop about events within the AO, and their impressions of terrain, population, etc., as well as non-professional subjects (sports, TV, etc). (b) (6), (b) (7)(C) seemed to avoid conversations altogether and exhibited a detachment from his Soldiers that I saw as awkward. In the light of the allegations, I believe he specifically targeted the mentally and physically weaker Soldiers to coerce them into killing civilians. He likely was able to easily co-opt (b) (6), (b) (7)(C) as (b) (6), (b) (7)(C) was, in my opinion a loudmouth and a Soldier who was looking to intimidate others and develop a reputation. (b) (6), (b) (7)(C) was one of the few PVTs within the PLT and was a quiet, easily-intimidated Soldier, who would have been eager to fit in. (b) (6), (b) (7)(C) was in a similar situation. (b) (6), (b) (7)(C) had suffered previously from PTSD-like symptoms related to both an earlier IED strike during this deployment and his previous deployment in Iraq. He had been on a limited-duty profile until he was cleared by mental health professionals. (b) (6), (b) (7)(C) would have been easily coerced into participating in something that would help him gain a reputation within the PLT. In retrospect, I believe (b) (6), (b) (7)(C) likely target those Soldiers he thought he could both bully into participating in his "kill team" and those that may thought they had something to gain from joining him.

As the deployment continued, there were several incidents on indiscipline within the PLT. The BN CSM observed the PLT boxing outside of their tents one afternoon and reprimanded (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) for their lack of foresight, ignoring force protection in a combat zone. I requested that the PLT develop a dismounted footbridge for canal crossing in the southern part of our AO. As construction neared completion, the BN XO saw the bridge had been painted with a slogan referring to a "Crusade," clearly an IO disaster had it gone unnoticed. Once it was brought to my attention, I explained to (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) why this could have ruined progress within the BN's AO and it was quickly corrected. In addition to this (b) (6), (b) (7)(C) had a negligent discharge with an M203 round that destroyed an unoccupied CHU on the FOB, for which he received an Article 15 from the BN CDR. All of these examples came to a head in MAR 10, when the TF Legion Commander received a report from the Maywand strict Leader that stated that village elders from a village within 3PLT's area of operations had complained that Soldiers had gone rough the village, shot at dogs, killed chickens, and kicked in doors. Having been on many patrols with 3PLT and never observing that type of behavior, I was shocked. I confronted (b) (6), (b) (7)(C) and the SLs about the allegations and they denied them categorically. I relayed this to the TF CDR and told him that I had never observed this type of behavior. Although he wanted to replace both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), I argued that the PLT had become a valuable asset and I did not want to lose the PLT leadership. Of the three PLTs that I had, the reconnaissance PLT that was organic to my formation did not have the dismounted personnel to effectively conduct patrols in villages within the AO, the platoon attached from A/2-1 IN had been through 2 x PSGs and I did not have confidence in the decision-making abilities of the platoon leader. (b) (6), (b) (7)(C) had developed very good relationships with local elders in two important villages in the Troop's AO, and I felt that these relationships needed to be nurtured by (b) (6), (b) (7)(C). Furthermore, the PLT had been commended by the BDE S2 for their TSE of 2 X individuals that had been detained while trying to flee with and dispose of RF-initiated IEDs and blasting caps, making them a go-to unit for TSE within the Troop. (b) (6), (b) (7)(C) basically gave the PLT leadership one more chance and ISG and myself conducted re-training on the TF Legion and ISAF Tactical Directives with SLs and above to ensure there was no confusion. I specifically expressed to (b) (6), (b) (7)(C) that he was out of chances and the next mistake would result in his removal as PL. Two nights later the PLT conducted an escalation of force (EOF) engagement on an individual who was standing next to HWY1. The initial report I received in my CP was that they had conducted EOF and killed a dismount who had been crouched next to HWY1. Further discussion over FM revealed that the PLT had tried to ask the man (through an interpreter) to move forward and to take his hands out of his pockets, then to stop and submit to a search. When he refused and began to behave strangely, the PL ordered his dismounted element to initiate EOF procedures, resulting in the use of lethal force. From the report that I received over the radio, I was angry. I believed that the PLT reacted out of an excess of caution and fear rather than make a rational decision when faced with an individual who was likely not a threat, at least not to personnel inside a Stryker. I ordered the PLT to search the area for several hours to determine if there was any sign that the individual might have been an enemy combatant. When the PLT reported that they had recovered an AK-47 magazine, I told them to continue searching, since there was no indication that a weapon was present. After approximately 3 hours of searching, I told the PLT to return to the FOB and debriefed them once they returned (SL's and above). During the debriefing I determined that they conducted the proper EOF procedures against a perceived threat and reported the details to the BN HQ, stating that the magazine was found, but was inconclusive evidence that the individual was a threat. (b) (6), (b) (7)(C) conducted a follow-up leader engagement the next morning with elders in the area who were unable to identify the body at the ANP station. The incident was closed out through

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 2 OF 3 PAGES

Para 3 n1

Para 3 n2

Para 3 L3 J

Para 3 L(2) (C)

Para 3 L(2) (a)

Para 3 L(2) (b)

Para 3 L(2) *

Para 3 L(2) (C)

Para 3 p(1)

Para 3 q(2)

Para 3 o 3

STATEMENT OF (b) (6), (b) (7)(C)

TAKEN AT Fort Benning, GA

DATED 2010/11/09

9. STATEMENT (Continued)

was not present during any of the three incidents that led to allegations of murder against members of 3PLT. However, as Commander, I had specific reactions to two of three of them (I was on leave during the month of February 2010, during which the second, direct-fire (DF) incident took place. Although I was not in Afghanistan, I was briefed on the incident once I returned and I did not see anything unusual about it). The first incident took place in JAN 10. I was in a targeting meeting when the engagement took place and returned to my CP to receive the report that 3PLT had engaged and killed an individual who had attempted to attack the PLT with a grenade. My immediate reaction was to tell (b) (6), (b) (7)(C) to secure the site, conduct TSE, and question the locals to determine the motivation behind the attack. The locals stated that the individual was acting erratically that morning and could only attribute his actions to drugs. I discussed the incident with the BN CoC (either (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C) I cannot recall which). We both were confused as to why someone would attack CF Soldiers with a grenade, though we had seen suicide attacks in the AO and found caches of grenades in the past. I personally thought the attack was an anomaly, likely caused by drugs combined with Taliban influence in that portion of our AO. I was gratified, however, that the 3PLT Soldiers (identified as (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) at that point) had prevented US casualties, even telling (b) (6), (b) (7)(C) to commend them for their quick reactions, and presence of mind under fire, which I thought had saved lives. The final incident occurred in MAY 10, when I received another report at my CP that 3PLT had engaged and killed an individual with a grenade. After this incident, the PLT had pictures of the individual with what was alleged to be another, unexploded Soviet-style grenade next to him. I took the picture to (b) (6), (b) (7)(C) and we discussed this incident further. My impression was that if the first grenade event was an anomaly, then two similar attempted attacks were potentially the beginning of a trend. Since I certainly never assumed that any US Soldier would have access to or attempt to use a Soviet-style grenade, I felt that the photographic evidence of such a grenade was strong evidence that this was a legitimate combatant. The PL conducted a KLE with the local elders who claimed not to know the individual. I attended the Security Shura at the district center two days later to address the issue. At the meeting the District Leader (DL) revealed that the individual had been a Mullah and stated that he did not believe that he had tried to engage CF. I showed him the picture of the individual with the grenade that had been taken in situ at the scene, but he still did not believe me. By the time I left the meeting, I was very upset that the DL refused to believe what I saw as clear evidence that the individual had tried to engage CF and accused US Soldiers of being dishonest (although it must be noted that I did not reveal that anger to the DL, I simply attempted to make him see what I thought was the only reasonable explanation and explained that we would continue to investigate the incident to determine the validity of his statements).

It must finally be noted that despite living in close proximity to 3PLT and conducting many, many patrols alongside them, I did not have any indications of drug use or behavior that was in violation of the Law of Land Warfare or UCMJ. While I was far from a perfect Commander, had I had any indication of the actions that resulted in the allegations against the members of 3PLT, I would have acted swiftly in conjunction with my Chain of Command to correct the situation and hold the appropriate parties responsible.

*

*

**
Para
31(c)

Para 3L(3)

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR (b) (6), (b) (7)(C)

Subscribed and sworn to before me, a person authorized by law to administer oaths, on this 11th day of November, 2010.

(b) (6), (b) (7)(C)

TITLE 10, U.S.C. SEC 1044A & AR 27-55

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)

PAGE 3 OF 3 PAGES



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT BLISS
1733 PLEASANTON RD
FORT BLISS, TEXAS 79916

REPLY TO
ATTENTION OF:

AFBL-DCG

09 December 2010

MEMORANDUM FOR RECORD

SUBJECT: Interview with (b) (6), (b) (7)(C)

1. The following statement was omitted from the initial sworn statement interview with (b) (6), (b) (7)(C) during the AR 15-6 investigation.

2. Approximately two to three times a week, (b) (6), (b) (7)(C) battle field circulated with 3rd Platoon, Bravo Co., 2-1 IN.

3. If I may be of further assistance, please contact me at (b) (6), (b) (7)(C) or via email at (b) (6), (b) (7)(C)


STEPHEN M. TWITTY
Brigadier General, U.S. Army
Deputy Commanding General

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form see AR 190-30; the proponent agency is CDCSCPS

DATA REQUIRED BY THE PRIVACY ACT

TYPE: Title 10, United States Code, Section 3012(g)
ALPURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION	2. DATE	3. TIME	4. FILE NO.
5. N (b) (6), (b) (7)(C)	8. ORGANIZATION OR ADDRESS		
6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS (b) (6), (b) (7)(C)		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A Rights

The investigator whose name appears below told me that he/she is with the United States Army

AR 15-6 investigator
and wanted to question me about the following offense(s) of which I am

suspected/accused: Art 92 dereliction

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

(b) (6), (b) (7)(C)
 do not have to answer any question or say anything.
 anything I say or do can be used as evidence against me in a criminal trial.
 for personnel subject to the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer be appointed for me before any questioning begins.

I am now willing to discuss the offense(s) under investigation with or without a lawyer present, I have a right to stop answering questions at anytime, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Section B Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE
1a. (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE		
1c. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR	

Section C Nonwaiver

1. I do not want to give up my rights
☐ I want a lawyer

☐ I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SACRN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

26

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION JBLM	2. DATE (YYYYMMDD) 2010/10/27	3. TIME 1755	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS O-4 / AD	
8. ORGANIZATION OR ADDRESS HHC, 2-2 ID (SBCT)			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

This is a follow-up statement to an interview conducted on 27 OCT 10. I was asked to write this statement covering the following four areas: my view of the effects on command climate due to the brigade commander's pursuit of a counterinsurgency strategy instead of following current COIN doctrine; my impression of B/1-17, particularly the effects of them adopting the counterinsurgency strategy and as compared to A and C Companies; the reluctance of the 1-17 IN commander to conduct 15-6 investigations; and the discipline problem in 1-17 IN.

The brigade commander's strategies caused frustration at multiple levels. The XO and I were frustrated as we tried to plan operations according to current doctrine, but were continually pressed from higher to conduct continual offensive operations, attacking enemy "formations." These operations were not tied to protecting the population, but rather completely enemy oriented, using enemy attrition as measures of success. When we wanted to position forces in relation to the largest population clusters and the government center, in order to isolate the population from the insurgents, we were denied, despite multiple requests and *para 3i(2)* explanations. The brigade commander wanted us to attack, to close with and destroy "enemy formations." He wanted us penetrating into the green zone, despite there being no population, to hunt down and destroy the "guerillas," as he called them. He repeatedly told us we needed to "seize and maintain the initiative." He was not interested in us gaining the initiative in any other way, like partnering with local government, leaders, and security forces and implementing good governance. He was not interested in any indirect means of getting at the COG. We were forbidden to focus on the population as the center of gravity. We were forbidden to use the term "cells" to talk about adversarial forces. There were only "formations," organized into companies, groups(platoons), and teams(squads). Instead of letting company commanders develop lines of effort and operations unique to the problem sets in their AOs, we spent the first 6 months conducting BDE-sized offensive (clearance) operations or being ordered to conduct BN-sized offensive (clearance) operations.

All of this put me in the awkward position of attempting to carry out the commander's intent when I felt it was very much at odds with what I, the XO, at most times the BN CDR, most of the staff, and most of the CO CDRS, all felt was "the right way," the "doctrinal way," to prosecute our operations. When staff and CO CDRS asked me why we were ignoring the population, I didn't have a good answer for them. These guys have been to the career course. They've been deployed before. They know the doctrine. That institutional knowledge and experience extends into the NCO ranks, as well. OPS SGM, 1SGs, PSGs, and SQLs, all have multiple deployments. They know how it is supposed to work, too. The first six months were extremely tense and frustrating in this kind of climate.

One company absolutely embraced and adopted the brigade commander's mentality, B Company, 1-17 IN. B CO was positioned on the west side of the Argendab River, geographically isolated from the paved MSR and the government center. While there were two larger population clusters in their AO, Jelawuhr and Adira, B CO spent most of their time in the orchards hunting "guerillas" and their caches. The company was completely enemy-focused and could not be made to come off of conducting ambushes, raids, and clearance operations. They were held up by the BDE CDR as a company who was getting it right. He routinely positioned his

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)	PAGE 1 OF 3 PAGES
-------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM DATED 2010/10/27

9. STATEMENT (Continued)

TAC at the B CO COP, demanding personal debriefs from the CO CDR. He routinely called the CO CDR directly for tactical discussions or debriefs. The numbers of enemy killed and caches and IEDs found were routinely cited by the BDE CDR as evidence of the company's, and specifically the CO CDR's, tactical prowess. My opinion is that they were the beneficiary of geography. When other companies, like Team HHC and C CO, were repositioned to the west side of the river they met with equal successes, if not more. While the BDE CDR seemed to be obsessed with B CO, he visited C CO two or three times and A CO's CP once throughout the entire year. Those two companies were not in the Argendab River Valley, where the enemy formations could be concentrated and massed on, and they were not perceived by him to be aggressively hunting down and destroying enemy formations. It is my belief that the C CO CDR was, in fact, relieved by the BDE CDR because he was perceived to be placing too much effort into partnering with local government, police and army, and engaging the population. That is my perception of what happened. Why he was "moved out" was never explained to me and to my knowledge could not be coherently articulated to the BN CDR.

para 3 (4)

Around April 2010, two different platoons in the battalion had direct fire contacts which appeared to both the S3 and me to need further investigation. One event involved a platoon from C Company. A platoon was attacked with an IED and when a second platoon moved to assist they observed who they believed to be the trigger man and others fleeing the scene. At some point during the pursuit, this individual was shot and killed. Upon further exploitation of both the IED strike site and the scene of the shooting, the lack of evidence prompted both the S3 and I to recommend to the commander to initiate an investigation. The IED turned out to be pressure-activated and there was no cell phone or weapons found on the killed individual. However, the commander said no investigation was needed. The S3 and I insisted, but he said that he had reviewed all the reporting and talked to the members of the platoons and didn't feel one was necessary.

Within a few days, while manning OPs to isolate an objective for a MEDCAP mission in a village with questionable loyalties, a team from the BN RECON PLT made direct fire contact, killing three males. Initial reporting to the BN TOC was that they received direct fire and then returned fire, killing the three. Those reports also indicated finding IED components and weapons/ammunition. However, C CO CDR, who was conducting the MEDCAP, exploited the site and called back to the BN TOC with concerns. He told me that he felt the shooting was not within the ROE. After I received the photos of the site, including the three bodies, I agreed. The BN S3 had the same concerns I did. The IED "components" were some old, used AA batteries and a couple strands of electronic wire. The ammunition was old, discarded brass. These items amounted to no more than the average Afghan pocket litter. Additionally, the photos of the deceased appeared to me to indicate two were killed with head shots and the third was hit multiple times on the left, back, side. Though founded on nothing else, the scenario that jumped immediately into my head was 2x simultaneous head shots, and the third guy took off running and so the shooting had to catch up to him. Again, the S3 perceived the same image. Again, the S3 and I both recommended to the commander that he initiate an investigation. Again, he said he had talked to the members of the platoon and didn't think it was necessary.

While consolidating the reporting and submitting our impression reports and story boards, I began to see inconsistencies in reporting between the RECON PL, RECON PSG, and C CO CDR. There was confusion about who initiated fire, whether or not warning shots were fired, and whether or not the entire event took place before anything was reported to the C CO CDR. (The RECON PLT was OPCON to the C CO CDR for the operation.) While on a separate mission in the C CO AO, I stopped at their CP and talked at length with the C CO CDR and reviewed their CP duty logs. The C CO CDR was adamant that the shooting was outside the ROE and what I saw of the duty logs furthered my belief that something was not right.

The S3 and I again had a lengthy discussion with the BN CDR, insisting that he initiate an investigation. Eventually, he capitulated and said he would call the BDE CDR first, though. Afterward, he said that the BDE CDR told him to investigate, but to have someone in the BN do it. The commander told me to do one and give the other to the S3. The S3 and I both insisted that he request IOs from outside of the BN, but he refused. He said he did not want anyone from outside the BN coming here and poking around because they don't understand the BN and they won't have any idea or context for "the kind of fight we've had here."

While I don't remember all specific discussions, I remember that the BN CDR was absolutely reluctant to do any type of investigation on any direct fire contact. After two incidents a couple of months earlier, which gained visibility at RC and ISAF levels, we tried to convince the commander to make it SOP to do an investigation of every single use of force. He refused. He said it would look bad to the boys.

I believe his reluctance to conduct investigations was based on a number of factors. First, he did not want to expose anything that would reflect negatively on the BN, and further, on him. I believe his mentality was that if there was anything negative going on, as long as it wasn't exposed everything was fine. Secondly, I think he knew that his training and leadership of these platoon leaders and their platoons was lacking. He did not want that exposed. Finally, I think it was a function of his broader failure to supervise. He

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM DATED 2010/10/27

STATEMENT (Continued)

...s was the most ill-disciplined BN in which I have served. The BN contained multiple drug offenders who were given simple JCMJ action and not processed out of the Army. The BN was in poor physical condition, with multiple fat soldiers. Uniform standards, personal hygiene, unit and field hygiene, and vehicle safety standards were simply and routinely ignored. CSDP was non-existent. Part of the problem was the CSM. The CSM was the worst I have ever seen. He rarely left the wire, was never in the TOC, and put his own comfort and safety above those of his Soldiers. The other problem was that no one was ever held accountable. Partly due to the commander's lack of supervision, and partly because it was too hard for him to actually hold anyone accountable. CSM was never held accountable. B Company was the most ill-disciplined company in the BN. The CO CDR was never held accountable. B Company had a Soldier die and one Soldier had a leg amputated in a roll-over because they were driving too fast and were not restrained. CO CDR was not held accountable. B CO had the worst CSDP in the BN. CO CDR was not held accountable. NOTHING FOLLOWS-----

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(b) (6), (b) (7)(C)

(ent)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of October, 2010 at

(b) (6), (b) (7)(C)

(ing Oath)

(Typed Name of Person Administering Oath)

Judge Advocate
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 3 OF 3 PAGES

27

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION JOINT BASE LEWIS MCCHORD	2. DATE (YYYYMMDD) 2010/10/27	3. TIME 1645	4. FILE NUMBER 1 OF 3 FILES
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS MAJ/AD	
8. ORGANIZATION OR ADDRESS A COMPANY, SPECIAL TROOPS BATTALION, I CORPS (G3 FUOPS) PCS TO HQs 8TH FIELD ARMY, YONGSAN KOREA			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

BACKGROUND INFORMATION: I WAS SELECTED TO SERVE IN 5-2 SBCT IN SEPTEMBER 2007 WHILE SERVING MY JOINT ADVANCED WARFIGHTING SCHOOL PLANNER REQUIREMENT WITH CJTF-82 AND CJTF-101 CJ5 IN BAGRAM FIELD, AFGHANISTAN. BEGAN SERVICE IN 5-2 SBCT IN JULY 2008 AND SERVED IN TWO POSITIONS; 1-17 IN S3 FROM JULY 2008 - MAY 2009; 4-23 IN XO FROM MAY 2009 - JULY 2010.

ON 27 NOVEMBER FROM 1500 - 1600 HOURS I PARTICIPATED IN AN FACE TO FACE INTERVIEW WITH BG TWITTY WITH RESPECT TO THE COMMAND CLIMATE OF 5-2 SBCT AND QUESTIONS RELEVANT TO THE PREPARATION AND EXECUTION OF 5-2 SBCT's DEPLOYMENT TO AFGHANISTAN FROM JULY 2009 THRU JULY 2010. WE DISCUSSED THE COMMAND CLIMATE, COL TUNNELL LEADERSHIP STYLE, A THOROUGH TIMELINE OF KEY EVENTS PRIOR AND DURING DEPLOYMENT THAT SHAPED MY PERCEPTION OF THE COMMAND CLIMATE. THE STRUCTURE FOR THE NOTES AND INFORMATION ARE PROVIDED AS FOLLOWS: HIGHLIGHTS FROM THE INTERVIEW WITH BG TWITTY, ANSWERS TO SOME OF THE QUESTIONS POSTED TO MYSELF AFTER THE INTERVIEW AND KEY EVENTS THAT I THINK PROVIDE INSIGHT INTO THE SITUATION AND ADDITIONAL COMMENTS IN RELATION TO THE 5-2 SBCT.

THE FOLLOWING ARE KEY NOTES FROM THE INTERVIEW WITH BG TWITTY THAT I WISH TO REAFFIRM:

1. COL HARRY D. TUNNELL IV FAILED TO PROPERLY DEFINE THE COUNTERGUERRILLA STRATEGY IN RELATION TO COIN AND THEREFORE CREATED CONFUSION, ANIMOCITY AND UNCERTAINTY AMONG LEADERS IN THE SBCT. IN AUGUST 2008, I ATTENDED A COMMAND / QTB IN WHICH GREAT DIALOGUE WAS SURROUNDED OVER THE TERM POPULACE AND RESOURCES CONTROL, ONE OF THE KEY TENETS OF COUNTERGUERRILLA OPERATIONS (CGO). IN DISCUSSIONS WITH MY BATTALION COMMANDER AT THE TIME, (b) (6), (b) (7)(C) WE SPENT TIME TRYING TO ATTEMPT THE DIFFERENCES BETWEEN WHAT COL TUNNELL WAS TRYING TO SAY AND WHAT COIN OPERATIONS STATED. IT TOOK ME AS AN S3 SIGNIFICANT AMOUNT OF RESEARCH AND LISTENING TO UNDERSTAND THAT THE DIFFERENCE. THE DIFFERENCE AS I UNDERSTAND IT TODAY IS THAT COL TUNNELL WANTED A CENTRALIZED ELEMENT TO ADDRESS THE GOVERNANCE AND DEVELOPMENT FOR ALL ELEMENTS OF THE SBCT (BSTB), TO MAXIMIZE THE LETHAL AND TECHNOLOGICAL CAPABILITIES THAT THE STRYKER BATTALIONS ONTO ENEMY FORMATION. COIN AS IS UNDERSTOOD BY MOST OF THE MILITARY IT IS MORE DECENTRALIZED, SO UNITS AT THE LOWEST LEVELS HAVE THE ABILITY AND ARE TRAINED TO HANDLE GOVERNANCE AND DEVELOPMENT WITHIN THEIR CAPABILITIES. NO ONE THAT I REMEMBER PUBLICALLY CHALLENGED COL TUNNELL ON CGO PRIMARILY BECAUSE OF RETRIBUTION AND BEING ON "HIS BAD SIDE". IT IS COMMONLY KNOWN THAT ONCE COL TUNNELL MADE UP HIS MIND ABOUT AN OFFICER IN A NEGATIVE MANNER PROFESSIONALLY, HIS CAREER WAS TERMINATED OR THE OFFICER WAS SEVERELY MARGINALIZED.

10. EXHIBIT	11. INITIAL (b) (6), (b) (7)(C) KING STATEMENT	PAGE 1 OF 9 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"		

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF **(b) (6), (b) (7)(C)** TAKEN AT JB LM, WA DATED 2010/10/27

9. STATEMENT (Continued)

THE CONFUSION I MENTIONED IN THE PREVIOUS PAGE ALONG WITH THE FOLLOWING TOPICS I BELIEVE LED SOLDIERS AND SOME LEADERS TO THINK THAT THEIR SOLE PURPOSE FOR THE DEPLOYMENT WAS TO KILL THE ENEMY:

o COL TUNNELL IN HIS FEW SPEECHES TO SOLDIERS, MOTIVATED THEM BY TELLING THEM THEY WERE THE MOST TECHNOLOGICALLY ADVANCED AND MOST LETHAL FORCE ASSEMBLED MADE ONLY FOR WAR AND FIGHTING. HE USED SIMILAR TERMINOLOGY IN HIS CHANGE OF COMMAND SPEECH. *para 31(2)*

o FIELD GRADE OFFICERS TOOK SIDES IN THE APPROACH TO EXECUTING ORDERS. THERE WERE TWO CAMPS, THOSE THAT SUPPORTED AND FOLLOWED THE LETHAL APPROACH OF COIN FROM COL TUNNELL'S VERSION OF CGO AND THOSE WHO ATTEMPTED A HYBRID CONCEPT CGO AND COIN TO KEEP COL TUNNELL RELATIVELY SATISFIED WHILE EXECUTING THE MISSION. IN MY PERCEPTION THIS BROKE OUT AS FOLLOWS: 2-1 CDR AND BSTB SUPPORTED THE CGO APPROACH, 1-17 IN HAS MIXED APPROACH (B/1-17 IN COMPANY COMMANDER, **(b) (6), (b) (7)(C)** AND HIS INABILITY TO OPERATE IN A TEAM ENVIRONMENT, DROVE THE BN TO BE MORE CGO BY COL TUNNEL WHILE THE OTHER COMPANIES WERE ATTEMPTING LESS CGO AND MORE COIN), 4-23 IN AND 8-1 CAV WERE MORE COIN THROUGHOUT THE PROCESS. THE FIELD GRADES AT THE BDE LEVEL AS A RESULT, PUT SIGNIFICANTLY MORE EMPHASIS INTO 1-17 IN AND 2-1 IN OVER THE OTHER COMBAT UNITS IN THE BCT. THIS WAS EVIDENT BY THE BEHAVIOR OF **(b) (6), (b) (7)(C)** S2, IN ALLOCATING ISR, **(b) (6), (b) (7)(C)** (S3) IN PRIORITIZING TRAINING AND OPERATIONS, AND **(b) (6), (b) (7)(C)** IN PROVIDING RESOURCES AND SUPPORT FOR SUSTAINMENT. THIS EMPHASIS OF SUPPORT BY THE BCT S2, S3 AND XO DROVE BNs FIELD GRADES TO HAVE SOME ANIMOCITY AMONG EACH OTHER.

o COL TUNNELL ON TWO OR THREE COMMANDER CONFERENCE CALLS IN THE FALL OF 2009 WHERE I LISTENED IN, MADE STATEMENTS ABOUT THE COMMANDERS PROVIDING HIM FEEDBACK AS TO WHY UNITS WERE NOT KILLING THE ENEMY OR CAPTURING INDIVIDUALS BELIEVE IT WAS SHORTLY AFTER SEPTEMBER 20 BRIEF THAT OUR BATTALION CONDUCTED --(SEE OP LONGVIEW BRIEF LATER IN THIS STATEMENT). FURTHER, THE BCT S2 SPECIFICALLY CONTACTED MYSELF ABOUT THE "BODY COUNT" TO JUSTIFY THE NEED FOR ISR IN THE ZABU PROVINCE, OTHERWISE, HE COULD NOT GET ISR PASSED TO US. I SPECIFICALLY REMEMBER DISCUSSING WITH **(b) (6), (b) (7)(C)** O/A 08 DEC 09 ABOUT OUR MOVE FROM ZABUL TO HELMAND, WHERE I WAS ASKING WHY WE WERE NOT THE MAIN EFFORT, EVEN THOUGH WE WERE SUPPORTING THE RC (S) MAIN EFFORT. HE SPECIFICALLY STATED, "SHA WALI KOT HAS ALL THE BAD GUYS, WE ARE HERE TO KILL BAD GUYS".

o THE FOCUS OF EVERY BCT LEVEL MISSION PLANNED OR EXECUTED WENT SPECIFICALLY AFTER KILL/CAPTURE INDIVIDUALS IN THE AO (PLEASE NOTICE THAT KILL/CAPTURE VERSUS CAPTURE/KILL - COL TUNNELL SPECIFICALLY TOLD EVERY COMMANDER THAT IT WILL BE KILL FIRST THEN CAPTURE AS HE DID NOT WANT HESITATION BY SOLDIERS - STATED IN COMMANDER MEETINGS IN 2008 AND IN THE WEEK OF 20-28 JULY 2009 IN MEETINGS DURING RSOI). *para 31(2)*

2. COL TUNNEL DID NOT PROVIDE AN ENVIRONMENT WHERE COMMANDERS COULD COMMUNICATE WITH HIM. BOTH **(b) (6), (b) (7)(C)** AND **(b) (6), (b) (7)(C)** WHO WERE MY COMMANDERS DURING MY TIME IN 5-2 SBCT, VERBALLY SPOKE ABOUT THIS BEHAVIOR OF HIS AND AS A RESULT HOW LITTLE GUIDANCE OR MENTORING THEY WERE RECEIVING. THUS, WHEN IT CAME TO THE CONFUSION DURING THE DEPLOYMENT AS HIGHER HQs WOULD DIRECT COIN AND COL TUNNELL WOULD DIRECT FORMS OF CGO. THE BEST EXAMPLE OF THIS WAS DURING THE RSOI PERIOD ON 20-30 JULY 2009, WHERE COL TUNNEL SPENT ON THREE SEPARATE OCCASIONS ANSWERING QUESTIONS FROM COMMANDERS AS TO HOW TO INTERPRET THE TACTICAL DIRECTIVE IN LIGHT OF THE TRAINING IN POPULACE AND RESOURCES CONTROL AND OUR MISSIONS TO GO AFTER THE ENEMY. THIS IS ANOTHER REASON THAT REINFORCES MY STATEMENT ABOUT COL TUNNEL NOT BEING APPROCHEABLE ON PAGE 1. DURING THESE DISCUSSIONS, THE OFFICER THAT WAS INVOLVED WAS **(b) (6), (b) (7)(C)** WHO DID WHAT IN MY INTERPRETATION THE MOST WORK IN REPLICATING COIN DURING THE DEPLOYMENT, TRIED TO MAKE CLEAR OF EVERY POINT. COL TUNNELL GOT SOMEWHAT, BUT NOT VISUALLY IRRITATED, BUT HE GAVE THE GUIDANCE TO THE EFFECT OF ALL OF YOU WORK FOR ME AND YOU NEED TO WORRY ABOUT WHAT I DO. HE THEN CREATED A TACTICAL DIRECTIVE DOCUMENT THAT WAS SUPPOSED TO COMPLIMENT THE DOCUMENT, I CAN NOT RECALL THE SUBJECT LINE FOR THE DOCUMENT. THAT DOCUMENT DID NOT HELP CLARIFY WHAT WE WERE TO DO AND IF IT WAS IN LINE WITH THE TACTICAL DIRECTIVE. OUR BN FOCUS ON THE TACTICAL DIRECTIVE DOCUMENT AND MADE EFFORTS TO ENSURED THAT OUR SOLDIERS FOLLOWED A SINGLE DOCUMENT.

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 9 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM DATED 2010/10/27

2. STATEMENT (Continued)

COL TUNNELL WAS AGAINST MENTORING OFFICERS. O/A 23 JULY 2009, COL TUNNELL SPECIFICALLY TOLD ME IN COUNSELING SOMETHING TO THE EFFECT THAT "MENTORING IS SOME BULLSHIT THAT THE ARMY CAME UP WITH TO KEEP OFFICERS AROUND. THE REALITY IS THAT OFFICERS, ESPECIALLY FIELD GRADES, DO NOT REQUIRE ANY MENTORING." HE FURTHER WENT TO COMMENT THAT I WAS HIGH MAINTENANCE FOR REQUESTING COUNSELING FOR MY OER. THIS VERBIAGE WENT THROUGHOUT THE STAFF AND OTHER MAJORS WHO THEN NOT DECIDE TO COUNSEL. SO IT BECAME APPARENT TO ALL FIELD GRADES THAT YOU ONLY GOT COUNSELING WHEN THINGS WERE WRONG OR WHEN AN OFFICER WAS TO BE FIRED.

4. THE COMMAND CLIMATE AND IMPRESSIONS OF WHAT COL TUNNELL EXPECTED FROM UNITS WERE FURTHER EMPHASZIED BY THREE EVENTS THAT I RECALLED:

o OPERATION LONGVIEW BRIEF O/A 20 SEPTEMBER 2010. OPERATION LONGVIEW WAS A 4-23 IN OPERATION INITIALLY DESIGNED AS A POPULATION CENTRIC OPERATION AFTER ASSESSING THAT THE BATTALION'S COULD NOT HAVE AN EFFECT ON INTERDICTING THE ENEMY FORMATIONS BECAUSE OF THE LACK OF ISR PROVIDED, THE AMOUNT OF AREA TO COVER 3 MAJOR DISTRICTS, AND NOT HAVING MAJOR CERP PROJECTS AVAILABLE. THIS OPERATION WAS BRIEF TO COL TUNNEL O/A 201830SEP2010 OVER CPOF. IN THIS BRIEF AS WE EXPLAINED THIS, COL TUNNELL STOPPED THE BRIEF AFTER 35 MINUTES AND STATED TO THE EFFECT THE FOLLOWING:

- YOU ARE THERE TO KILL THE ENEMY AND INTERDICT HIS MOVEMENTS INTO KANDAHAR.
- I AM NOT INTERESTED IN THE PEOPLE. THAT IS SOMEONE ELSE'S PROBLEM
- WORK WITH THE ANSF FROM THE CURRENT LOCATIONS (WE REQUESTED ADDITIONAL LOCATIONS TO

IMPLEMENT BASES IN POPULATION DENSITIES SIMILAR TO TECHNIQUES ONGOING IN RC (E) AND IN IRAQ). WE CHANGED THE ENTIRE PLAN TO CLEAR POPULATION AREAS THAT WE HAD NO CONNECTION WITH THE POPULATION. THE EFFECT OF THIS OPERATION AS A RESULT TO THESE CHANGES WERE MINIMAL AGAINST THE ENEMY, FRUSTRATION TO THE POPULACE IN SOME AREAS, AND SIGNIFICANT MAINTENACE AND LOGISITCAL COMPLICATIONS INTERNAL TO OUR BATTALION.

o THE BEHAVIORS OF (b) (6), (b) (7)(C) (BCT S3 FROM APPROX MAR 2008 - DEC 2009) AND (b) (6), (b) (7)(C) (APPROX MAY 2008 - DEC 2009) BEHAVIORS FURTHER EXASPIRATED THE COMMAND CLIMATE AND HAT APPEARED TO BE A SEPARATION BETWEEN THE BCT AND THE STAFF. OFTEN, THEY EXERCISED EITHER GUIDANCE FROM THE COMMANDER THAT WAS NOT SHARED WITH LITTLE OR ANY BATTALION COMMANDERS KNOWLEDGE. FURTHER THEIR BEHAVIORS WITH THE BATTALION XO's AND S3s WAS OFTEN AN ISSUE OF DISCUSSION IN A NEGATIVE MANNER. THIS MAY HAVE BEEN IN MY ESTIMATE AS A RESULT OF PRESSURE THEY WERE GETTING FROM COL TUNNELL TO BEHAVE THIS WAY. (GO NEXT PAGE)

AFFIDAVIT

(b) (6), (b) (7)(C) , HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 9 . I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 9 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION JOINT BASE LEWIS MCCORD	2. DATE (YYYYMMDD) 2010/10/27	3. TIME 1645	4. FILE NUMBER 2 OF 3 FILES
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS MAJ/AD	
8. ORGANIZATION OR ADDRESS A COMPANY, SPECIAL TROOPS BATTALION, I CORPS (G3 FUOPS) PCS TO HQs 8TH FIELD ARMY, YONGSAN KOREA			

9. (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(CONTINUES FROM FILE #1)

THE ACKNOWLEDGEMENT OF THE AFGHAN DEPLOYMENT. WHILE I HAD EXPLAINED TO HIM NUMEROUS TIMES FROM JULY - DECEMBER OF 2008 AS TO THE POSSIBILITY OF GOING TO AFGHANISTAN AND THAT OUR TRAINING AS A BCT WAS NOT HELPING US PREPARE FOR IT, HE REFUSED TO LOOK INTO IT OR ADJUST THE TRAINING TO BE FLEXIBLE TO AT LEAST ADDRESS BOTH AFGHANISTAN AND IRAQ.

o COL TUNNEL ENGAGED IN FRICTION TYPE CONVERSATIONS DURING HIS NTC ROTATION IN FEB 2009: THERE WERE TWO SEPARATE OCCASSIONS FROM MY RECOLLECTION THAT COL TUNNEL DIFFERED ON CGO AND COIN WITH A SENIOR LEADER. THE MOST VIVID OF THE TWO WAS THE MID-AAR CONDUCTED BY (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) WAS TRYING TO EXPLAIN HOW COIN WAS NOT BEING CONDUCTED BY THE UNITS AND WHILE WE AS A BCT MAY HAVE HAD A LOT OF KILLS OF ENEMY, WE WERE NOT MAKING A DIFFERENCE IN THE LIFE OF THE PEOPLE. THE CONVERSATION BETWEEN THE TWO OFFICERS GOT "INTERESTING" AS THEY WENT BACK AND FORTH ABOUT HOW THE OTHER INSTITUTIONS (DoS, USAID AND OTHER) CAN DO THE HELPING AT THE LOWER LEVELS AND THAT THE ACTIONS OF THE BCT WERE STILL WITHIN WHAT IS REQUIRED FOR COIN OPERATIONS. AFTER THE CONCLUSION OF THAT AAR, HE STATED SOME COMMENTS ABOUT MAINTAINING THE FOCUS ON THE MISSION AND TO NOT CONCERN THEMSELVES WITH HOW NTC SAW OUR ACTIONS. I DO RECALL THROUGH DIALOGUE WITH OTHER MAJORS ABOUT ANOTHER INCIDENT DURING THE ROTATION WHERE (b) (6), (b) (7)(C) AND COL TUNNEL WERE NOT AGREEING ON THE COIN DIALOGUE AND THE SET UP OF THE ROTATION.

THE SECOND WAS THERE WAS A DIALOGUE BY BG NICHOLSON FOR THE BCT LEADERS WITH RESPECT TO WHAT TO EXPECT WHEN THEY ARRIVED AT RC (S). DURING THIS BRIEF, I DISTINCLY REMEMBER COL TUNNEL HAVING MADE A FACIAL EXPRESSION DURING BG NICHOLSON'S BRIEF ON THE ROE AND THE DIRECTIVES THEY WOULD HAVE TO FOLLOW. AT THAT POINT, BG NICHOLSON THEN EMPHASIZED THE PREVENTION OF CIVCAS AND THE ACTIONS THAT GOOD UNITS SHOULD DO, DISMOUNT, TALK TO PEOPLE, ETC. HIS TONE OF VOICE RAISED AS HE WAS SOMEWHAT IRRITATED WITH SOME OF THE REACTIONS FROM COL TUNNEL. WANT TO BE CLEAR THAT THE BRIEF DID NOT GET HEATED, BUT YOU COULD SENSE THE TENSION BASED ON WHAT WE HAD TRAINED AND BEEN TOLD TO EXECUTE BY COL TUNNEL AND WHAT WE WERE BEING BRIEFED BY BG NICHOLSON.

FOLLOWING ARE ANSWERS TO QUESTIONS HANDED TO ME THAT I FEEL THE ANSWERS ARE OF RELEVANCE:

15. DID THE SOLDIERS AND OFFICERS HAVE TRUST AND CONFIDENCE IN THEIR LEADERS? (NEXT PAGE)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 4 OF 9 PAGES
-------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF **(b) (6), (b) (7)(C)** TAKEN AT JBLM, WA DATED 2010/10/27

9. STATEMENT (Continued)

* THE ANSWER TO QUESTION 15 IS NO. WHILE THE LEADERSHIP WENT ON PATROL AND WAS PRESENT, THE CONFUSION OF THE TACTICAL DIRECTIVE / COIN / CGO, QUALITY OF LIFE FOR SOLDIERS IN OUTLYING FOBs, BEHAVIOR OF BCT HQs STAFF AND NCOs IN KANDAHAR LED TO THE PERCEPTION THAT NO ONE CARED ABOUT SOLDIERS. OUR BATTALION EXPERIENCED THIS SOME WHAT AND TO THE BCT LEADERSHIP'S DEFENSE, THEY DID EVERYTHING POSSIBLE TO GET THE MATERIALS NECESSARY ON SITE, BUT THE LACK OF ENGINEERS AVAILABLE FOR CONSTRUCTION LEFT THE SOLDIER DOING THINGS FOR HIMSELF THAT HE IS NOT QUALIFIED TO DO.

20. DID YOU EVER HEAR OF ANY UNETHICAL OR UNLAWFUL PRACTICES WITHIN THE BCT? THE ONLY COMMON KNOWLEDGE OF UNETHICAL PRACTICES WERE ALWAYS ABOUT SOLDIER BEHAVIOR IN KANDAHAR AT THE BCT HQs WHERE OFFICERS AND NCOs WERE INVOLVED IN SEXUAL ACTIVITY, ADULTERY AND DRUGS, BUT OTHER THAN ONE OFFICER IN OUR 4-23 IN CHAIN OF COMMAND FOR ADULTERY, OUR BATTALION HAVING AN ISSUE WITH DRUGS IN SHAJOY DISTRICT (WHICH WE ADDRESSED) AND THE BEHAVIOR OF OUR BDE ENGINEER **(b) (6), (b) (7)(C)** WHO WAS KNOWN TO BE PLAYING VIDEO GAMES INSTEAD OF WORKING, I CAN NOT SUBSTANTIATE ANY OF THE RUMORS. THE RUMORS WERE RAMPANT AND CREATED A PERCEPTION OF ONE BIG PARTY AND THAT THEY DID NOT CARE OR HAD A REALITY CHECK ON WHAT IS ONGOING IN THE FIELD.

28. DID YOU EVER THINK THAT RC (S) OR I CORPS HAD LOST TRUST AND CONFIDENCE IN THE BCT OR BCT CDR? NO, THE RUMORS AND SOME OF THE STORIES THAT I HEARD SECOND HAND FROM **(b) (6), (b) (7)(C)** OUR BCT LNO TO THE RC (S) GAVE ME THE IMPRESSION THAT THE BCT HAD LOST CREDIBILITY.

30. DO YOU THINK THAT THE LACK OF BATTALION LEADERSHIP INVOLVEMENT LED TO THE MISCONDUCT? WITH RESPECT TO 2-1 THERE IS ONLY ONE STATEMENT THAT I NEED TO PROVIDE WITH RESPECT TO THE LEADERSHIP DURING THE FALL OF 2009 AND TO SOME EXTENT INTO JANUARY 2010, **(b) (6), (b) (7)(C)** AT MANY CONFERENCE CALLS HAD REFERENCE TO THE LETHAL BEHAVIOR OF UNITS AND THE WAY HE WAS GOING TO FOCUS AFTER THE ENEMY. HE WAS OFTEN ABLE TO CONVINCE COL TUNNELL FOR ISR SUPPORT BECAUSE OF THE LETHALITY OPPORTUNITIES THAT HE SAW AVAILABLE TO HIM. I RECALL ON A CONFERENCE CALL IN MID JANUARY 2010, THAT HE CHANGED HIS DISCUSSION TO POPULATION CENTRIC OPERATIONS AND BRINGING MORE OF A FOCUS. DONT RECALL THE EXACT WORDS, BUT COL TUNNELL SPECIFICALLY QUESTIONED HIM.

39. DID YOU HEAR ANY OTHER MISCONDUCT IN THE BCT DRUG, MURDER, ASSAULT AND OTHER ACTIVITIES THAN 3/B/2-1? THERE WERE RUMORS ABOUT 1-17 IN CONDUCTING A MURDER OF AN INNOCENT CIVILIAN DURING THE FALL OF 2009, BUT I DONT REMEMBER EVER BEING SUBSTANTIATED. I BELIEVE THAT THEY WERE FIRST WITH THE "MURDER" REPUTATION AS BLOWBACK FOR THE CASUALTIES THEY HAD. AGAIN, NOTHING I CAN SUBSTANTIATE. BUT IT LEFT THE REPUTATION THAT WE WERE HUNTING AFTER ONLY THE ENEMY.

THE LAST PORTION OF MY COMMENTS REFER TO TIMELINE SPECIFIC EVENTS THAT MAY BE OF INTEREST TO THE INVESTIGATION:

- APRIL 2008 - HAD WARNED **(b) (6), (b) (7)(C)** (THE BCT XO/DCO AT THE TIME) OF THE POSSIBILITY THAT OUR UNIT MAY DEPLOY TO AFGHANISTAN INSTEAD OF IRAQ AS A RESULT OF PLANNING WE WERE DOING WITH CENTCOM IN AFGHANISTAN. I FURTHER TALKED IN MY INITIAL COUNSELING WITH COL TUNNELL ABOUT THIS.
- JAN 2009 - WHILE THE NTC LEADERSHIP HAD BEEN WARNING AND TELLING OUR LEADERSHIP THAT WE MAY BE GOING TO AFGHANISTAN, WE STILL EXECUTED AN LTP WITH AN IRAQ FOCUS.
- NOV 2009 - HAD A CASUAL DIALOGUE WITH **(b) (6), (b) (7)(C)** ABOUT THE BEHAVIOR OF **(b) (6), (b) (7)(C)** WHO WAS NOT FOLLOWING ANY GUIDANCE FROM THE BATTALION AS A RESULT OF A DIRECT RELATIONSHIP WITH COL TUNNELL

LASTLY, I AM PRESENTING NOTES OF INTEREST TO THE INVESTIGATION AFTER FURTHER THOUGHT AND ASSESSMENT:

(START NEXT PAGE)

INITIALS OF PERSON MAKING STATEMENT

PAGE 5 OF 9 PAGES

STATEMENT OF **(b) (6), (b) (7)(C)** TAKEN AT JBLM, WA DATED 2010/10/27

9. STATEMENT (Continued)

THAT I WANT TO ACKNOWLEDGE THAT WHILE THERE WERE COMMAND CLIMATE ISSUES, I FIRMLY STAND THAT COL TUNNEL HAD SOME STRENGTHS AS A LEADER / PERSON AND DID PERFORM SOME ACTIONS THAT WERE BENEFICIAL TO THE UNIT MORALE AND DEVELOPMENT:

- HE IS EXTREMELY INTELLIGENT. HIS HISTORICAL REFERENCE FOR CGO WAS THE CIVIL WAR RECONSTRUCTION PERIOD. HE INFORMED OF THIS DURING A DIALOGUE IN JAN 2009 IN SEATTLE.
- WHEN YOU ARE ON HIS "GOOD SIDE" HE IS GREAT TO DIALOGUE WITH. I FOUND MYSELF ON NUMEROUS OCCASIONS AFTER HAVING A QUICK DIALOGUE THAT HE COULD BE PERSONABLE.
- EXCELLENT MEMORY. HE DOES NOT FORGET ANYTHING. HOWEVER, IN MY PERCEPTION, HE USES MEMORY ONLY WHEN CONVENIENT FOR HIM.
- AN EXCELLENT MOTIVATOR: COULD MOTIVATE SOLDIERS TO BELIEVE THEY WERE IN THE MOST LETHAL UNIT IN THE ARMY. DURING HIS SPEECHES TO THE BCT AS A WHOLE TOOK TIME TO RECOGNIZE INDIVIDUALS THAT HAVE DONE EXTREMELY WELL.
- ART OF PERSUASION: IN MULTIPLE OCCASIONS WITH SENIOR OFFICERS, I WATCH HIM CONVINCE OFFICERS ON HOW HIS CGO WAS RELATED TO COIN. THE ISSUE WAS THAT THE ARTICULATION AND TRANSLATION OF WHAT HE STATED DID NOT MAKE IT CLEAR FOR LEADERS AND SOLDIERS TO UNDERSTAND AND ULTIMATELY CONFUSED MANY.
- HE WORKED TIRELESSLY TO MAINTAIN UNITY OF THE NETWORK: I HEARD FROM MANY LEADERS ABOUT HIS REQUIREMENT FOR RC (S) TO NOT BREAK THE UNIT APART. THINGS COULD HAVE GONE MUCH WORSE IN MY ASSESSMENT IF WE WERE WORKING FOR OTHER HQs AND HAD EVEN MORE CONFLICTING GUIDANCE.

MY SECOND EVALUATION FROM HIM WAS INCONSISTENT WITH MY PERFORMANCE AND WHILE I AM NOT IN AGREEMENT WITH THE OER I RECEIVED, I STILL SOUGHT OUT HIS ADVICE ON CAREER MATTERS. AT THAT POINT I APPROACHED HIM, HE WAS NOT MY BCT COMMANDER AND I STILL VALUED HIS KNOWLEDGE, EVEN THOUGH PROFESSIONALLY DURING THE DEPLOYMENT HE WAS NOT APPROACHABLE AND HAD COMMENTED NUMEROUS TIMES TO HIS BCT XO AT THE TIME **(b) (6), (b) (7)(C)** AND HIS S1 **(b) (6), (b) (7)(C)** OF HOW MUCH HE HATED ME. I WANT TO MAKE CLEAR THAT MY ASSESSMENT OF HIM AS AN PERSON / OFFICER IS DIFFERENT THAN MY ASSESSMENT ON HOW HE COMMANDED 5-2 SBCT AND HIS BEHAVIORS THAT HE EXHIBITED AS A COMMANDER.

(CONTINUES NEXT PAGE)

AFFIDAVIT

I, _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 6 OF 9 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION JOINT BASE LEWIS MCCHORD	2. DATE (YYYYMMDD) 2010/10/27	3. TIME 1645	4. FILE NUMBER 3 OF 3 FILES
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS MAJ/AD	
8. ORGANIZATION OR ADDRESS A COMPANY, SPECIAL TROOPS BATTALION, I CORPS (G3 FUOPS) PCS TO HQs 8TH FIELD ARMY, YONGSAN KOREA			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
CONTINUED FROM PAGE 6:

I RECOMMEND THAT THE 15-6 INVESTIGATING OFFICER LOOKS AT THE FOLLOWING DATA:

- NUMBER OF NON-ILE GRADUATES IN KEY LEADERSHIP OR STAFF POSITIONS IN THE BATTALION
- NUMBER OF FIELD GRADES AND NCOs WITH PREVIOUS DEPLOYMENT EXPERIENCE OR AFGHANISTAN COMBAT EXPERIENCE
- AMOUNT OF TIME SPENT CONDUCTING COUNTER IED TRAINING AND THE POLICIES PROVIDED FOR THIS
- THE COMPOSITION OF BATTALION STAFFS: SPECIFICALLY THE LACK OF AN S9 / CMO INDIVIDUAL AT THE BATTALION LEVEL- REVIEW THE BCT CAMPAIGN PLAN - IT WAS CALLED A STRATEGY (CLASSIFIED DOCUMENT) - BASED ON A BUSINESS STRATEGY AND NO WHERE NEAR CLOSE TO A COIN VERSED PLAN.
- REVIEW THE TACTICAL DIRECTIVE MEMORANDUM PREPARED BY THE BCT STAFF TO CLARIFY THE TACTICAL DIRECTIVE, BUT IT WAS NOT ACCURATE..... THERE WERE 2 VERSIONS, ONE IN THE FALL OF 2009 AND ONE IN THE SPRING OF 2010. THE AUTHOR FOR THIS DOCUMENT WAS (b) (6), (b) (7)(C)
- RECOMMEND THAT FURTHER RESEARCH IS DONE ON A SECOND INTERACTION THAT COL TUNNEL AND COL (b) (6), (b) (7)(C) HAD AT NTC. IT WAS EARLY IN THE ROTATION, BUT DO NOT HAVE THE DETAILS OF THIS.

RECOMMEND THAT THE 15-6 INVESTIGATING OFFICER INTERVIEW THE FOLLOWING PERSONNEL:

- (b) (6), (b) (7)(C) (CURRENTLY GOING TO ETS, WILL LIVE IN THE NEAR AREA):
- (b) (6), (b) (7)(C) HOWEVER, WAS THE PLANNER FOR THE BCT (NON-RESIDENT ILE DURING THE DEPLOYMENT), CURRENTLY WORKS AT BCTC IN JBLM.
- (b) (6), (b) (7)(C) - PERSPECTIVE OF TF ZABUL AND THE LNO DURING THE MOST SIGNIFICANT FRICTION WITH RC (S) DURING THE DEPLOYMENT IN THE SPRING OF 2010. CAN TELL YOU THE REPUTATION OF THE BCT AT THE HIGHER LEVELS.
- (b) (6), (b) (7)(C) PLANNER AT RC (S) DURING THE MULTIPLE ITERATIONS AND HAD FIRST HAND PERCEPTION AND KNOWLEDGE OF THE ATTITUDE OF SBCT DURING THE DEPLOYMENT.
- (b) (6), (b) (7)(C) HE CAN PROVIDE YOU INFORMATION ON THE BCT'S APPROACH TO 1-17 IN AS WELL AS THE WAY WE APPROACHED THE FIGHT IN 4-23 IN.
- (b) (6), (b) (7)(C) ABOUT THE INCIDENTS AT NTC WHERE COL TUNNELL AND (b) (6), (b) (7)(C) DID NOT AGREE AT NTC.
- (b) (6), (b) (7)(C) FROM JAN - JULY 2010) - SPECIFICALLY THE ACTIONS OF THE BCT STAFF WHILE PREPARING THE PLAN TO FIGHT ALONG THE ARGHENDAB RIVER IN MAYWAND DISTRICT AND THE NUMEROUS DOCTRINAL VIOLATIONS OF THOSE ORDERS TO GET INFLUENCE RC (S) TO EXECUTE A LETHAL OPERATION

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 7 OF 9 PAGES
-------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

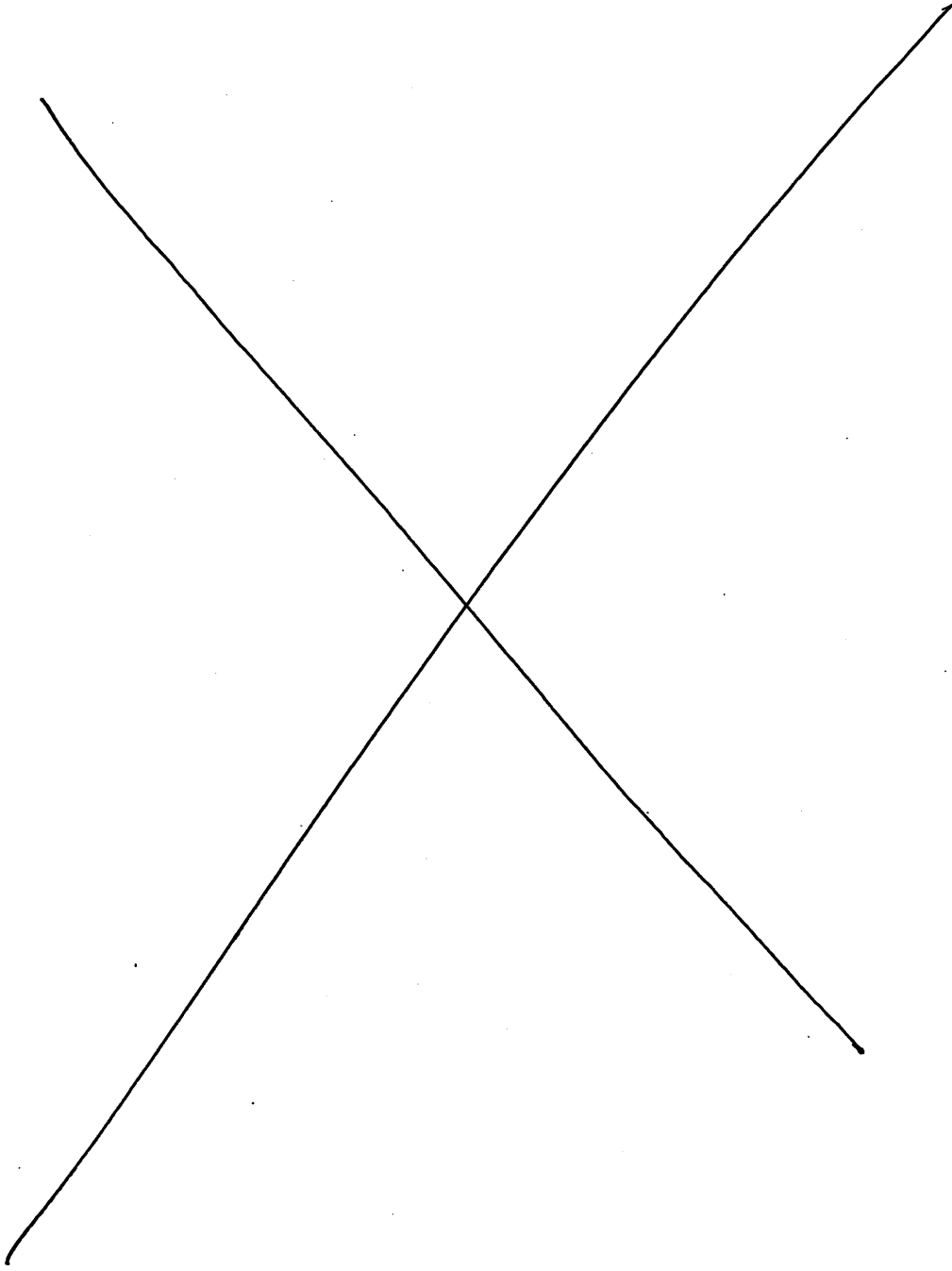
USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, WA DATED 2010/10/27

9. STATEMENT *(Continued)*

AGAINST THE ENEMY INSTEAD OF COIN OPERATION.

THIS CONCLUDE MY STATEMENT. NOTHING FOLLOWS.



INITIALS OF PERSON MAKING STATEMENT

PAGE 8 OF 9 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, WA DATED 2010/10/27

9. STATEMENT (Continued)

[The main body of the statement is crossed out with a large handwritten 'X']

I, (b) (6), (b) (7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF REWARD OR BENEFIT, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(b) (6), (b) (7)(C)
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of October, 2010
at _____

(b) (6), (b) (7)(C)

(Typed Name of Person Administering Oath)

Walter Adrean
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 9 OF 9 PAGES

28

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

INCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Joint Base Lewis-McChord, WA 98433	2. DATE (YYYYMMDD) 2010/10/31	3. TIME 1430	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS O-4/MAJ	
8. ORGANIZATION OR ADDRESS HHC 4-23 IN, 2-2 ID (SBCT)			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: In what areas did you witness a lack of discipline across the brigade?

A: I did not observe any discipline issues in the unit prior to deployment since the unit was in the process of flowing out of JBLM when I arrived. Shortly after arriving in theater, I began to notice basic standards not being enforced by NCOs in the unit. Early in the deployment, the most readily visible were basic uniform violations. Had the uniform violations affected only a small handful of Soldiers, I would not be alarmed, but they actually affected the unit on a massive scale and the NCO chain of command/responsibility, nor my commander, seemed interested in correcting the problem. The lack of standards enforcement not only existed in the NCO chain, but the officer chain as well. During the first Command and Staff meeting I experienced in the battalion, the S1 briefed the current NCOER and OER status – there were NCOERs that were over 400 days late. While I was completely appalled, my commander and CSM seemed completely unaffected. At that time, the CSM issued a suspense of two weeks for the companies to get the NCOERs up to date. While thought this was far too generous, I remained silent. Two weeks passed, then two more, then two more, then two more and the unit had made little progress with respect to getting caught up on NCOERs. Six weeks after the CSM's suspense had expired, I spoke out during the Command and Staff demanding to know why the companies had not complied with the suspense. The CSM immediately attacked me, asking me "What do you want them to do? Stop combat operations?" I replied "No, I expect them not to sleep until they are complete on their administrative actions." The lack of enforcement of any kind of standards or suspenses overflowed to every aspect of daily operations. Administrative actions were incessantly late or not completed at all – it wasn't until about 2 weeks ago (approximately 3 months after redeployment) that I was finally able to get my battalion S1 section to produce a product that I felt gave us a decent look at ourselves in terms of where we stand on administrative actions. We currently have OERs and NCOERs that are over 3 months late (Exhibit (b) (6), (b) (7)(C) 5-7). Para 3 K12 Company CONOPs were rarely turned in on time. Property accountability was and continues to be a complete disaster (Exhibit (b) (6), (b) (7)(C) 9) – the battalion currently has over 71 open FLIPLs. This is a direct result of a culture in the brigade of not holding anyone accountable for anything. Para 3 K12

The following is a list of discipline-related issues I observed that my CSM refused to address: Uniforms not worn correctly (trousers not properly bloused, headgear not worn correctly, no rank or nametape on the IOTV; IFAK not properly placed as the farthest piece of equipment on the left side, watch caps worn in unauthorized manners, sleeves rolled up); Soldiers not carrying a minimum of 2 quarts of water when they get off the Stryker; Soldiers not carrying NODs on their equipment during daylight operations; no PCIs/PCCs conducted; Soldiers sitting down on patrol instead of pulling security; machine guns not put on tripods when stopped; AGs not carrying tripods at all; airguards sitting on top of Strykers instead of down in the hatch at nametape defilade; smoking cigarettes in the Stryker; continuing to put equipment inside the SLAT armor after being directed not to; continuing to wear tinted eye protection in violation of the Tactical Driving Directive; not policing the FOB and allowing trash to build up attracting flies and rodents; allowing interpreters to taunt the Taliban on over ICOMs; continuously calling in the MEDEVAC at the point of injury; KIA/WIA Soldier equipment not being handled properly (and subsequently lost); leaving water bottles full of urine in the MWR tent; throwing trash (specifically water bottles) everywhere while on patrol; Soldiers not wearing restraints in the

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)	PAGE 1 OF 3 PAGES
-------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

AT THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, WA DATED 2010/10/31

g. STATEMENT (Continued)

Stryker (resulted in the death of (b) (6), (b) (7)(C) and Soldiers not wearing IOTV and helmet when firing mortars (resulted in the death of (b) (6), (b) (7)(C) Many of these issues are documented in Exhibit (b) (6), (b) (7)(C)

The biggest travesty is that my ineffectual CSM will be given another battalion after infecting this one for the last 3.5 years. We have raised an entire generation of young leaders who have never seen what right looks like, and the person singularly most responsible for this is being rewarded with another position of great responsibility where the same will no doubt be repeated.

NOTHING FOLLOWS.

INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, WA DATED 2010/10/31

9. STATEMENT (Continued)

NOTHING FOLLOWS

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b) (6), (b) (7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15th day of November, 2010 at (b) (6), (b) (7)(C)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Judge Advocate
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Joint Base Lewis-McChord, WA 98433	2. DATE (YYYYMMDD) 2010/10/31	3. TIME 1430	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS O-4/MAJ	
8. ORGANIZATION OR ADDRESS HHC 4-23 IN, 2-2 ID (SBCT)			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: What was Operation LONGVIEW? How/why was it changed?

A: Operation LONGVIEW was 4-23 IN's initial attempt at operationalizing COMISAF's COIN guidance in Zabul province. The concept was first briefed to COMRC(S) who came to visit us at FOB Wolverine on 24 AUG 09. COL Tunnel (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were also present for this brief. With the concept still in its infancy, I briefed COMRC(S) on our intention to conduct COIN operations using the Shape/Clear/Hold/Build model focusing on population densities we had thus far identified in the Zabul province (Exhibit (b) (6), (b) (7)(C)-1; Slide 11). COMRC(S) commented that we had exactly the right population-centric focus and that our concept was approved. COL Tunnel remained silent during his comments, which I interpreted as concurrence. On approximately 15 SEP 09, I conducted a backbrief over SVOIP to COL Tunnel on the LONGVIEW CONOP (Exhibit (b) (6), (b) (7)(C)-2). Level 2 CONOP, the plan was ambitious. It required the clearing of enemy controlled population densities (key human terrain) and the occupation and construction of 5 additional COPs (Exhibit (b) (6), (b) (7)(C) slide 10) in order to better position combat power to secure the population in order to facilitate the expansion of governance and reconstruction. The plan also included partnering 2/205 ANA BDE personnel into our battalion TOC at FOB WOLVERINE. At nearly every point in the brief, I referenced how the concept was well-nested in COMISAF's COIN guidance. Before I could finish the brief, COL Tunnel interrupted me and disapproved our plan on two points: (1) we had been given a tactical task to interdict, and the plan did not meet that requirement. My attempts at explaining how the array of our newly constructed COPs would have an interdiction effect on enemy movement through Zabul province went unheard. (2) COL Tunnel emphasized that we are a battalion and that our plan should be nested two-levels up. Although he didn't specify, I understood him to mean that since ISAF was three-levels up, the COMISAF COIN guidance did not apply to us.

As a result, we changed the concept to an enemy-centric clearance operation (Exhibit (b) (6), (b) (7)(C)-3). During the backbrief for this operation, COL Tunnel was particularly concerned about our concept to arrive on target with an overwhelming display of combat power. Our intention was to show strength and allow a gap in the containment for the enemy to "squirt" out where our SOF partners would interdict them in engagement areas outside of the heavily populated villages. COL Tunnel seemed disappointed that our plan did not bait the enemy into firing on a small element so that we could respond with more combat power and destroy them in the village. (b) (6), (b) (7)(C) and I both agreed it was best not to provoke a firefight in the middle of any Afghan village and thus we executed accordingly. The clearance operations remained the same as the original LONGVIEW, except that they were followed by withdrawal from those areas since we could not sustain holding those areas without the construction of additional COPs. The LONGVIEW CONOP finally gave way to OPN PERSISTANT INTERDICTION (Exhibit (b) (6), (b) (7)(C)-4), which was written broadly enough to allow us to do whatever we needed to do in Zabul province. I ensured it was heavy with counter guerilla terminology, i.e. "target the insurgent auxiliary" by using "small kill teams," etc. in order to get it approved by COL Tunnel but we really had no intention of conducting aggressive interdiction operations – especially with the impending winter in the mountains. By the time this CONOP was approved, we began receiving warning orders that would eventually require the battalion to move to Helmand Province.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)	PAGE 1 OF 3 PAGES
-------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, WA DATED 2010/10/31

9. STATEMENT (Continued)

Q: How did COL Tunnell's counter guerilla strategy cause confusion throughout the ranks?

A: The first I heard of the counter guerilla strategy was during my initial phone contact (about 60 days prior to my arrival at the unit) with (b) (6), (b) (7)(C) who mentioned that the brigade was "definitely enemy focused." I found this curious since much of the year at ACSC was devoted toward educating us on a population-focused COIN strategy and I questioned (b) (6), (b) (7)(C) about how the enemy-focused strategy reconciled with the population-focused strategy. While I don't remember the specifics of the conversation, I remember that he could not adequately explain to me how the enemy-focused strategy could be reconciled with FM 3-24. I remember being a bit anxious about coming to the brigade in anticipation of the conflicting strategies. Upon arriving at Fort Lewis in early JUL 2009, my wife and I were moving into on-post housing when one of the movers happened to mention that he had recently helped COL Tunnel move out of his on-post residence. The moving company employee mentioned that COL Tunnel had told him that the Brigade was "going [to Afghanistan] to kill." I chuckled and insisted, "no, we're not." I had not met COL Tunnel by this time as the unit had already begun to flow out to Afghanistan. The first time I would meet COL Tunnel was a couple days after I arrived in country (about 17 JUL) during my initial counseling. I was nervous going into the counseling because I had a lot of anxiety that he would tell me to execute an enemy-focused strategy. Instead, COL Tunnel only told me to "implement the tactical directive." I had already read COMISAF's tactical directive and was 100% on board with its tenants. I felt relieved after this meeting that I would be able to plan population centric operations in our area.

Upon our battalion's arrival in Zabul, we facilitated the Afghanistan national elections and began planning Operation LONGVIEW. During this time (around AUG/SEP 2009) we received COMISAF COIN Guidance and were tasked in a Brigade FRAGO to ensure COMISAF COIN Guidance and the Tactical Directive was loaded onto everyone's Land Warrior system and briefed down to the lowest level. I proceeded to give the companies guidance to execute population-focused operations and checked with my commander that I was operating within his intent. (b) (6), (b) (7)(C) told me "continue to focus on the population." I experienced some fairly significant conflict with the company commanders because I was disapproving many of their night "small kill team" ambush CONOPs in favor of forcing them to conduct more key leader engagements and more patrolling in villages. I sensed that the battalion was not adequately trained in population-centric operations – after all, the companies had been "validated" in counter guerilla operations and had been awarded the Counter-Guerilla Streamer for it (Exhibit (b) (6), (b) (7)(C)-5). It was challenging to change this dynamic since there appeared to be so much institutional momentum to go out and kill the enemy.

After several weeks of struggle with the company commanders, I felt confident they finally understood what was expected of them with respect to the population-focused Operation LONGVIEW. After the CONOP was disapproved by COL Tunnel, I was so mentally and physically exhausted from trying to get the battalion focused on the population, I relented and published OPN LONGVIEW 2 and allowed the companies to chase the enemy with minimal success. Shortly after, we received a document from the Brigade S2 section, a faux Field Manual entitled "Guerilla Hunter Killer Operations" (Exhibit (b) (6), (b) (7)(C)-6). Initially I thought it was a joke, but after perusing for a couple minutes, I realized it was a real attempt at putting Taliban organization into an OPFOR order of battle structure. Henceforth, we were pressured to describe insurgent organization in terms of Guerilla Hunter/Killer (GH/K) teams, groups, and companies.

Q: In what ways was COMISAF guidance ignored?

A: The biggest way COMISAF COIN guidance was ignored is previous described in the disapproval of 4-23's COIN concept outlined in OPN LONGVIEW. This population-centric approach was disapproved on the grounds that it did not sufficiently meet COL Tunnel's intent for us to execute our tactical task – interdict.

Otherwise, COMISAF guidance was ignored specific to guidance in the Tactical Driving Directive that directed us to wear clear eye protection lenses so the population could see our eyes. While the letter of the guidance applied to driving, I interpreted the spirit of the guidance to apply to anytime we were dealing with the population. I led by example and wore clear eye protection for the remainder of the year. My attempts to influence my battalion commander and company commanders were unsuccessful. The company commanders stated they would not switch until the battalion commander did. He complained that the sun was too bright. The last example in which COMISAF guidance was ignored was during a contact we made in the Yakchal area in Helmand Province. During the firefight, one of the A Company platoon leaders cleared a hellfire strike on a residential compound. He claimed it was the only way he could secure the withdrawal of one of his squads that was "pinned down" in a cemetery in front of his position. Our battalion XO capitalized on this and subsequently cleared an A10 chain gun attack on the same compound from the TOC. The two airstrikes resulted in a minimum of 8 civilian casualties (deaths). Four of the casualties were fighting age males and were declared to be insurgents, which I'm not certain was true. Regardless, in my opinion, the airstrikes were unnecessary AND unauthorized. The unit was not in sufficient enough danger to merit the risk of civilian casualties and the appropriate level of authorization was not sought, nor received, to authorize the strike.

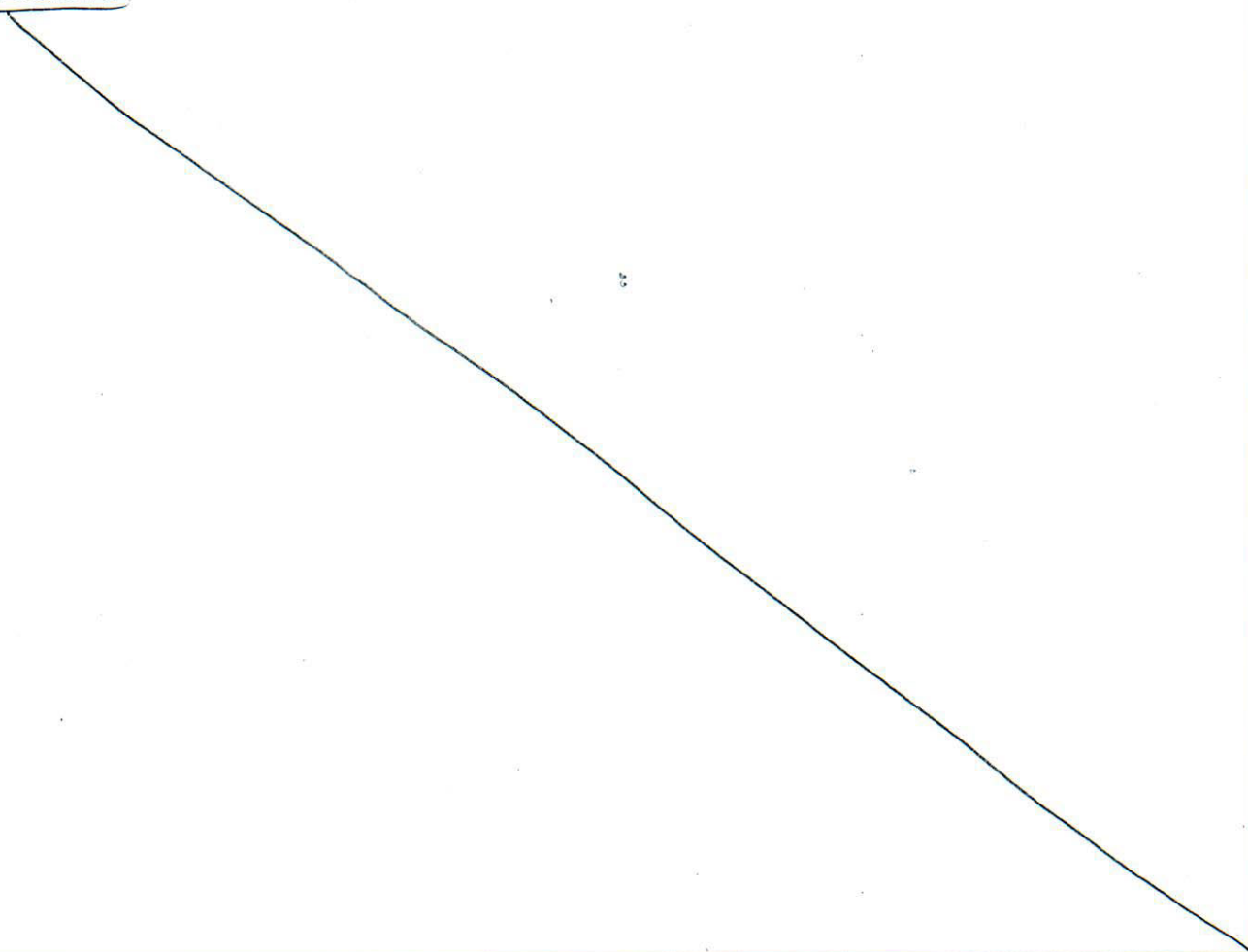
NOTHING FOLLOWS

INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM, WA DATED 2010/10/31

9. STATEMENT (Continued)
THING FOLLOWS



AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b) (6), (b) (7)(C)
(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15 day of November, 2010 at (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
(Typed Name of Person Administering Oath)
Judge Advocate
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)

29

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

NCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION BLDG 11265, HQ 2-2 ID (SBCT), JBLM, WA 98433	2. DATE (YYYYMMDD) 2010/10/28	3. TIME 0730	4. FILE NUMBER :
5. LAST NAME FIRST NAME MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS O4/AD	

8. ORGANIZATION OR ADDRESS

HQ, 2nd Brigade, 2nd Infantry Division (Stryker Brigade Combat Team), I Corps, JBLM, WA 98433

9.

I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I arrived to 5/2 ID (SBCT) at the end of March 2007. I commanded the (b) (6), (b) (7)(C) which was under Administrative Control (ADCON) of (b) (6), (b) (7)(C) I commanded from March 2007 to May 2008, and then I assumed duties as the Brigade S2 from May 2008 until February 2009. From February 2009 through July 2010, I served as the Brigade's (b) (6), (b) (7)(C) which is the duty position I held during the Brigade's 12-month deployment in support of Operation Enduring Freedom 09-11 in Southern Afghanistan. While commanding the (b) (6), (b) (7)(C) I was responsible for the initial generation and training of the company as we grew from 21 Soldiers to over 125 in the year I was in command. As the Brigade S2, I was responsible for developing much of the scripting and environment for the Brigade's collective training, which included Company-level External Evaluations from July to August 2008 a Brigade-level Field Training Exercise from 18 September to 5 October 2008.

During the two years before the deployment, the Brigade conducted two senior leader retreats. The first was a four-day off-site in August 2007, hosted by the Stryker Warfighting Forum in Jentsen Beach, Oregon. The audience was all commanders (Brigade, Battalion, Company), primary staff (Brigade and Battalion), Sergeants Major and First Sergeants. During this senior leader retreat, COL Tunnell presented the briefing "Sometimes War is Just War", which highlighted his command philosophy reference Counter-guerrilla vs Counter Insurgency. The major point that he reinforced was that a Brigade Combat Team was a part of COIN, but had a specific function within COIN - which was Counter Guerrilla operations. The BCT, especially a Stryker Brigade Combat Team, Para 3i(1) was supposed to be enemy focused, so security could be established / maintained in an Area, so that the appropriate agency could then conduct reconstruction and governance development. He stressed that units could "put the cart before the horse" and focus on projects before there was security in place to ensure the projects had a positive effect upon the population. He also highlighted that we, as a professional military force, had an obligation under the Geneva Convention and our operating principles to provide essential services to any area that we had under our control. He wanted everyone to understand that there was a difference in essential services (food, water, sewage) that was covered under the Geneva Convention, and projects that were not essential (schools, soccer fields). He did state that the non-essential projects needed to relate to the effects the Brigade was attempting to influence on the battlefield. The rest of the LPD included briefings by other Stryker Battalion and Brigade Commanders/Former Commanders that focused on the capabilities of the Stryker Brigade. Each Battalion/Squadron also conducted a briefing to the rest of the Brigade on a specific threat group that was operating in Iraq. These threat briefings would help provide the basis of the training enemy force we would be training against during our build up for deployment.

The second senior leader retreat was in November 2008 and consisted of a two-day off-site in Seattle, which was called "The Human Dimension LPD". This LPD focused on elements that COL Tunnell characterized as the Human Dimension of War. Briefings that were a part of this LPD included a lecture of the US Army policies and activities in the Reconstruction-Era (1865-1879), Micro-Grants, Survival Strategies in a Segregated Society (1890-1965), Tribal Interactions and the US Bureau

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)	PAGE 1 OF 5 PAGES
-------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT Bldg 11265 DATED 2010/10/28

9. STATEMENT (Continued)

of Indian Affairs and ended with a round-table with all these presenters. At this point, the Brigade was still on the "Patch Chart" for Iraq, so most of the briefings were focused on non-lethal means to influence and shape the environment. COL Tunnell reiterated the importance of understanding how people interacted in a segregated society in the south, because Iraq was a segregated society and many of the survival strategies would carry over. The briefing on southern Reconstruction was highlighting the policies and procedures of the US Army during a period of occupation that required small-scale military activities to suppress revolts / paramilitary groups, while also conducting rebuilding and governance. This LPD was difficult for many folks, because you had to take this information and see how you could apply it to the situation we would face in Iraq (later Afghanistan). This LPD did not focus on any lethal action and outside of the US Military Historian; all the briefers came from academia or non-military government positions.

During the Brigade's collective training that occurred from July - August 2008 (Company EXEVALS) and September - October 2008 (Brigade FTX), there was always a balance of lethal / live fire activities and population-engagement / negotiations. For the Company EXEVALs, the Brigade developed an intensive training scenario that required the 9 Infantry Companies and 3 Cavalry Reconnaissance Troops to: alert; conduct a tactical movement to Leschi Town; conduct a key leader engagement with an Arabic Speaking Role-Player who provided information that would lead to a targeted raid; plan and conduct a cordon and search with Arabic Speaking Role-Players acting as Host Nation Security Forces; then conduct a tactical road-march to Yakima Training Center; conduct a negotiation with an Arabic Speaking Role-Player for permission to use his field for a Combat Outpost; and then conducted a Company Live-Fire in the Yakima Training Center Maneuver area. The Company Commanders were evaluated on their abilities to conduct the negotiations, employ their enablers (HUMINT, Language Enabled Soldiers) and execute the tactical tasks. For the Company EXEVALs, the Brigade contracted for 20 Arabic Speaking Role-Players, so that everyone had to use interpreters to communicate with the civilian population that occupied the training areas. The Company EXEVALs for a company would not be considered complete until they had conducted a simulated Iraqi Court Trial that required members of the company to give simulated testimony for why they had detained the targets. This part of the training was specifically programmed by COL Tunnell, so that the Brigade leadership was exposed to the legal interactions that were part of deploying to Iraq.

During the Brigade Field Training Exercise from 18 September to 5 (approx) October 2008, the Brigade continued building on the training events used in the Company EXEVALs. The Brigade mixed lethal engagements with negotiations and civil-military interactions. The Brigade contracted for over 100 Arabic Speaking Role-Players to provide the people in five different constructed, urban areas in the Yakima Training Center. The scenario that my section and I scripted was based on 3-2 ID (SBCT)'s experience in Iraq in 2007, when they attacked to seize the city of Baqubah in the Diyala Province, Iraq. Our training scenario required 1-17 Infantry Battalion to move into an urban area in Yakima Training Center, populated by role-playing insurgents and towns people. They had to seize the town, while also interacting with a civilian population. This seizure of the urban area was filmed by a film crew that was contracted with the role-players. After seize the town, all of the other battalions moved into YTC and conducted COIN / stability operations and engaged the civilian population in their respective villages. All of the role players were Arabic speaking, and different engagements were filmed. It was a very similar experience as the Army's training centers provide with a pseudo-news crew. The training did require Company Commanders and leaders to engage with village leaders, to employ the company's Language Enabled Soldiers, and conduct negotiations and engagements to understand issues of the villages.

In January 2009, the Brigade conducts its Leader Training Program (LTP) rotation at The National Training Center (NTC). I was still the Brigade S2 during this period. The Brigade was still on orders to deploy to Iraq in July, so the LTP scenario was based on an Iraq NTC Mission Rehearsal Exercise (MRE). The duty-day following the Brigade's return back to Fort Lewis, the Brigade received a change of mission order to prepare to deploy to Afghanistan in July 2009. This only allowed two weeks for the Brigade and The National Training Center to prepare for the Afghanistan scenario. At this time I also transitioned from the Brigade S2 to the Brigade S2X, when (b) (6), (b) (7)(C) arrived to the Brigade. 5/2 ID (SBCT)'s MRE at the National Training Center was a very confrontational environment. The Observer/Controller that over-watched (b) (6), (b) (7)(C) and I was only in the Brigade's Tactical Operations Center (TOC) a handful of times and provided no constructive or positive feedback to (b) (6), (b) (7)(C) or me. We had been attempting to display our intelligence products using Google Earth, but were still having difficulties (as the program was still in its infancy). The feedback we received from NTC was "We have seen better with acetate and grease pencil, then you with your digital systems." There was no attempt to provide assistance or ways that other units had attempted to execute this type of digital situational template. Besides for the mission change of Iraq to Afghanistan, 5/2 ID (SBCT) had planned a major out-of-the-box for missions and a Brigade Live Fire event that were all in the beginning of the X-day rotations. This stacking of major events

INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)PAGE 2 OF 5 PAGES

STATEMENT OF **(b) (6), (b) (7)(C)** TAKEN AT Bldg 11265 DATED 2010/10/28

9. STATEMENT (Continued)

Also, COL Tunnell wanted to have a NTC rotation that did not have any of the Situation Training Exercises (STX) that NTC offers for company and battalion-level training. His stated reasoning during the NTC planning conferences and Brigade internal staff meetings was that the STXs lanes were meant for units that did not have any collective training before arriving to NTC. Since the Brigade had conducted an intensive Company EXEVAL, with live fire, and a Brigade Field Training Exercise, with Fire Control Exercise, the time at NTC would be better spent on Brigade and Battalion collective training. I believe this lack of STX training, contributed to the hostile environment at NTC, as NTC's leadership may have believed that the Brigade Commander was disparaging their STX training. Since we did not do the STX lanes, there was information that would have been given to the Brigade Staff during parts of the STX training, which was not provided. Examples include any Military Operation Sources (MSO) for the Brigade's HUMINT Teams to run operations with; the Division-level HVI and Targeting Information; and many of the Sphere of Influence (SOI) personalities in the Area of Operations. During the MRE, the Brigade did not experience many of the types of enemy activities that we ended up facing in Afghanistan. There were very few Improvised Explosive Device attacks or attacks that are prominent in the southern Afghanistan region. Most of the enemy activities during NTC focused on attempting to overrun isolated combat outpost, which is mainly a feature of Eastern Afghanistan. Overall, the NTC rotation was a very negative event that neither prepared the Brigade to operate under a NATO command or to understand the types of threats the Brigade would face starting in July. If NTC had more lead time to develop the scenario for southern Afghanistan, it would have been a much more beneficial training event and the Brigade S2/S2X would have taken more lessons from the training.

Before our deployment to Afghanistan, the Regional Command - South (RC-S) Commander, MG de Kruif had expressed concerns to COL Tunnell about his counter-guerrilla approach. The Brigade was supposed to present a back-brief on our occupation and support to the Presidential Elections plan. Before the Video Teleconference (VTC), everyone except for COL Tunnell was ordered from the room. COL Tunnell and MG de Kruif then spoke for 15-25 minutes, from my recollection. After this talk and our subsequent back brief, MG de Kruif did not present any other concerns or issues with how the Brigade would or did conduct operations (once we arrived in Afghanistan). During the first six months of operations in Afghanistan, there were not many issues between 5/2 ID (SBCT) and the RC - South headquarters. The Dutch Division that was in charge ensured the Brigade received proper resources and we passed reporting to the chain with no apparent issues. MG de Kruif and Brigadier General Hook (The RC - South Deputy Command, a UK Royal Marine) had regular visits to the Brigade TOC for Operations and Intelligence Briefings. These briefings were positives and both generals appeared to understand what the Brigade was doing and how we were conducting operations. This was the period when the Brigade was taking casualties in the Arghandab River Valley. This command team also supported the Governance, Reconstruction and Development projects the Brigade submitted and allocated resources appropriately to the missions across RC - South.

In November 2009, the RC - South Division conducted a Relief in Place from the Dutch to the British 6th Division, commanded by Major General Carter. When the 6th Division took command that is when 5/2 ID (SBCT) received a change of mission from a traditional COIN-focus to, what the Division Staff coined, Freedom of Movement (FoM). The FoM Mission required 1-17 Infantry to turn over control of the Arghandab River Valley to 2-508 PIR, and required 4-23 Infantry to leave Zabul Province and move to Helmand Province on the other side of Kandahar. Also, the Brigade was to gain a number of Route Clearance Packages and to have the priority of Intelligence, Surveillance and Reconnaissance (ISR) Assets from the International Joint Corps (IJC). Also, 5/2 ID (SBCT)'s TOC was to move from the southern portion of Kandahar Airfield (KAF) and displace to a remote FOB north of KAF, called FOB Walton. COL Tunnell tried during three different meetings to convince BG Hodges, the RC-South Director of Operations (US Army BG) that moving the Brigade TOC off KAF would have detrimental effects on the Brigade's Intelligence capability and the RC South Intelligence Capability. By moving off KAF, the Brigade would lose its 15-megabyte line-of-sight connection with the Upper Tactical Internet (Upper TI) hub, and would be forced to only use a 2-megabyte satellite-based link with the Upper TI. This would prevent the Brigade from effectively using the Distributed Common Ground System - Army (DCGS-A), the Army's intelligence data-basing Program of Record. Also, during the movement from KAF to FOB Walton, the Brigade would have to shut down its SIGINT Collection Capability, which would mean that data would be lost during this period. Also, the internet connection would be too slow to allow the Brigade's S2X section to perform all the needed tasks with registering sources. The Brigade spent most of December developing staff products to justify the detrimental costs to not just the Brigade, but also to RC South - since 5/2 ID (SBCT) was providing a large amount of SIGINT, HUMINT, Ground Moving Target Indicators (GMTI) and fused analysis to not just RC South, but also the Combined Joint Interagency Task Force (CJAITF), Task Force South, Task Force Odin and other agencies in southern Afghanistan. When COL Tunnell could not make any headway with either BG Hodges or MG de Kruif, he briefed MG McDonald (the USFOR-A DCG-S), who was the Brigade's Title X authority. Basically, COL Tunnell

INITIALS OF PERSON MAKING STATEMENT **(b) (6), (b) (7)(C)**PAGE 3 OF 5 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT Bldg 11265 DATED 2010/10/28

9. STATEMENT (Continued)

was he did not want to have a scenario where he was not able to communicate with his subordinate elements during a significant activity. He did not want another incident like August 18, 2009, when we lost two Soldiers in the Arghandab River Valley and the only means he had to communicate with his subordinate battalion in contact with Blue Force Tracker or Tactical Satellite Radio. Following MG McDonald's meeting and his call to RC South that 5/2 ID (SBCT) would not leave KAF, the relationship between 5/2 ID (SBCT) and RC South significantly deteriorated. It was after this point the Brigade had a reputation of "not getting it", not "being team players" and we were "missing the big picture." In my opinion as a Military Intelligence Professional for the last eight years, three of them in combat conditions, we would not have been able to reestablish our intelligence architecture at FOB Walton to the capability we had at KAF. We would have lost more Soldiers and most likely would have had a Checkpoint in Shah Wali Kot overran in June by Taliban Forces. Instead, we were able to conduct a company attack against Taliban Forces that were massing near Checkpoint 18 on Route Bear that disrupted Taliban Operations. This ability to conduct a preventative attack against the Taliban was possible due to our ability to fuse HUMINT, SIGINT and All-Source data through the DCGS-A system - requiring all of the Upper TI bandwidth we had at KAF. This would not have been possible if the Brigade TOC was located at FOB Walton.

In terms of Governance, Reconstruction and Development (GR&D) Projects, the Brigade had developed a working group to handle the GR&D project development and staffing for the Battalions. During the weekly or every two-weeks meeting, the Battalion Liaison Officers would present projects for recommendation to (b) (6), (b) (7)(C) the (b) (6), (b) (7)(C) Commander. (b) (6), (b) (7)(C) staff would then process the projects and provide feedback / status updates to the Battalions. The BSTB did travel around the battlefield a great deal. They would check on the projects, bring the USAID and AVIPA representatives to locations, and even planned / organized / resourced meetings with the Battalions and these agencies to ensure the Battalion projects would be approved. The BSTB was critical in getting AVIPA money to begin providing help to Arghandab River Valley Pomegranate Farmers. (b) (6), (b) (7)(C) was able to show how we were making security progress in the Arghandab, which convinced AVIPA to fund the agricultural improvement projects. The reason COL Tunnell put the GR&D onus on the BSTB was so the Battalions could keep most of their focus on providing security and preventing the Taliban from gaining control in the Battalion areas. Also, since the Brigade had a larger staff, with many unique staff sections not found in a Battalion, the Brigade could work these problem sets for Battalions. Through the work for the BSTB, the Brigade spent over 60% of all the CERP money in Southern Afghanistan. Throughout our year in Southern Afghanistan, we planned civil-military and information operations throughout our operations.

In reference to the charges against 3rd Platoon, B Company, 2-1 Infantry. In May, I had heard that some Soldiers had been placed in pre-trial confinement, but nothing specific was said to the Brigade staff. In mid-May, we received guidance that reporters may be asking question about a possible investigation and we should direct any questions to the PAO and remind the reporters that it was an on-going investigation. I did not really hear anything else until returning to Joint Base Lewis-McChord, when I was appointed as an Article 32 Investigations Officer in the cases of US vs (b) (6), (b) (7)(C) and US vs (b) (6), (b) (7)(C). On October 21st 2010, I conducted the hearing under Article 32, UCMJ in the case of US vs. (b) (6), (b) (7)(C). I sent my findings to the appoint authority, (b) (6), (b) (7)(C) on 27 October 2010. In the course of my investigation and review of available evidence, I found evidence that the (b) (6), (b) (7)(C) had heard rumor of drug use within his platoon, and in his words, "I thought I would let it play out." Then when (b) (6), (b) (7)(C) brought accusations against the Platoon, (b) (6), (b) (7)(C) told the squad leaders that (b) (6), (b) (7)(C) had brought accusations against these squad leaders of drug use. I determined in my investigation that (b) (6), (b) (7)(C) is the person who informed the squad leaders who the whistleblower was in the platoon and from the provided information members of 3/B/2-1 decided to silence the witness through intimidation. 3/B/2-1 Infantry was an attachment to A/8-1 CAV, who was OPCON to 2-1 Infantry. I do not believe the unit was properly supervised and the platoon leadership was incapable of overseeing the organization. (b) (6), (b) (7)(C) statements specifically highlight that he was not supervising the platoon, when he believed a drug problem would "work itself out." I do not know if the Troop Leadership was aware of these issues and from my interactions with (b) (6), (b) (7)(C) I do know believe that he would condone or allow this sort of activity to occur. The organization that (b) (6), (b) (7)(C) inherited from (b) (6), (b) (7)(C) did not trust its Battalion leadership due to the climate (b) (6), (b) (7)(C) created. This was one of numerous reason that (b) (6), (b) (7)(C) was removed from command, the only battalion-level commander removed from command from March 2007 through July 2010 in 5/2 ID (SBCT). The poisonous environment that (b) (6), (b) (7)(C) inherited would also have contributed to the mistrust apparent in 2-1 Infantry to their higher leadership. (b) (6), (b) (7)(C) developed numerous innovative programs to fix the problems in his area of operations. This included establishing a combined Afghan National Army and Afghan National Police Training Program, known as the Legion Academy, which trained ANA and ANP Soldiers and Officers to perform their duties confidently and ethically. (b) (6), (b) (7)(C) also developed a culvert denial system that helps prevent IED attacks along the major routes in the 2-1 Area of Operations.

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT BLDG 11265 DATED 2010/10/28

9. STATEMENT (Continued)

Throughout our deployment to Afghanistan, COL Tunnell would constantly work to instill a message of honor in the Brigade. Three separate times, the Brigade hosted Commanders Conferences on KAF that required the Battalion Commanders, Sergeants Major and senior civilian representatives to attend. During these conferences, the Battalion Commanders provided O&I updates, and the Brigade staff would present classes or issues of concern. At the first Commanders conference hosted in October, classes on detainee operations, Valor Award Citations, and 2-1 Infantry's development of a culvert denial system. In the second Commanders Conference there were specific briefings on How to Handle the Media - especially on what not to do; and Tactical Site Exploitation. These conferences were designed to ensure everyone understood what was occurring across the battlespace and to pass lessons learned and critical information. From what I saw in the Brigade TOC and in Brigade Staff Meetings, when there was questionable activity or something that did not make sense, COL Tunnell had no qualms with appointing investigating officers to figure out what was happening. There was no hesitancy to appoint an IO to investigate alleged misdeeds. Also, there were no incidents in the TOC where COL Tunnell would glorify the killing of Taliban combatants. In 2006, when my battalion worked for 4th Brigade, 4th ID, the brigade commander gave ARCOM with Valor Device awards for any sniper or small kill team with a confirmed kill. COL Tunnell never did that. Valor awards were given for acts of heroism not just because someone killed a Taliban. The message throughout the time I served under his command was to fight honorably and to use precise force, when needed. NOTHING FOLLOWS

(b) (6), (b) (7)(C)

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 5. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE (b) (6), (b) (7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of October, 2010 at JBLM 1 Corps Hq

(b) (6), (b) (7)(C)

(Typed Name of Person Administering Oath)

(Judge Advocate
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)

PAGE 5 OF 5 PAGES

30



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT BLISS
1733 PLEASANTON RD
FORT BLISS, TEXAS 79916

REPLY TO
ATTENTION OF:

AFBL-DCG

10 December 2010

MEMORANDUM FOR RECORD

SUBJECT: Interview with (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C)

1. The following information was stated from interviews with (b) (6), (b) (7)(C) during the AR 15-6 investigation.
2. It was stated that the 5/2 SBCT Commander, COL Tunnell, gave the Battalion Commanders flexibility to implement strategies such as COIN based on their assessment in the battalions' area of operations.
3. For further assistance, please contact me at (b) (6), (b) (7)(C) or via email at (b) (6), (b) (7)(C)


STEPHEN M. TWITTY
Brigadier General, U.S. Army
Deputy Commanding General

31

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN) .

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Joint Base Lewis McChord, Fort Lewis WA	2. DATE (YYYYMMDD) 2010/10/29	3. TIME 0900	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS O-4/MAJ	
8. ORGANIZATION OR ADDRESS HHC, 2nd BDE 2 ID (SBCT)			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During OEF Rotation 09-11 I served as the (b) (6), (b) (7)(C) During my tenure as the BN XO, I had frequent interaction with the Brigade Staff and the various units within the BDE. For 6 months of the deployment, I had to assume duties as the Support Operations Officer as well as the Battalion Operations Officer in addition to my assignment as Battalion XO. This resulted in my decision to spent significant time outside Kandahar at COPs and FOBs conducting battlefield circulation to ensure seamless logistic support. In reference to Escalation of Force training-- I can say with 100% confidence that proper training accross the Brigade releative to ISAF directed Escalation of Force training was implemented. Units down to the squad level were required to certify on EOF training prior to the initial push out of Kandahar Airfield. Following the movement of units into the Combat AO, EOF training and tracking were routinely breifed to the Brigade Commander by the Battalion Commanders. Towards the end of the deployment, after an incident in which an Engineer Task Force route clearance team killed several civilians in a bus, EOF training was mandated as a monthly requirement. Soldiers and leaders of the 5/2 SBCT were well-versed and very proficient at EOF training. There were limited incidents involving civilians being killed as part of an EOF incident. The only one that involved members of my unit was quickly investigated. All EOF related incidents as well as any incident involving civilians were tracked using 1st and 2nd impression reports and reported by BN Commanders at each Commanders Update Brief at least twice per week (Mondays and Wednesdays).

Command Climate Question 5. I observed a strained relationship between the BCT Commander and the RC-S Commander. At a briefing in the BDE TOC in Afghanistan, the BDE Commander was set to brief the RC-S Commander on a pending change of mission that would greatly and adversely affect the Brigade by forcing COL Tunnell to reposition forces only weeks before the RIP with 2 SCR. While briefing MG Carter on alternate courses of action, MG Carter lost his bearing and reprimanded COL Tunnell in front of the BDE Staff. He gave no option or compromise to the mission his NATO staff had developed. The staff at RC-S developed the COA without any input from Task Force Stryker. I was tasked to design the logistical support plan for the re-alignment of 4-23 IN back to Zabul Province. COL Tunnell did not react at all in an unprofessional manner and displayed remarkable patience and professionalism in a highly uncomfortable situation. The Brigade executed the mission as ordered, however, there is no question in my mind that the resulting force reposition hampered an effective RIP with 2 SCR and set the Brigade up for potential failure prior to redeployment.

Command Climate Question 25. I beleive that the Command Climate of the Brigade did not in any way contribute to the soldiers conducting murders, assaults, and drug use. The soldier's actions were driven by what appears to be the unfortunate mental instability and dissociative mental nature of one Squad Leader controlling several young and impressionable junior soldiers. That, matched with the frustration and intense nature of combat in Afghanistan were the proximate causes. The Command Climate of the 2-1 Infantry "Legion" was one of professionalism, selfless service, and commitment to the protection of the people of the Maiwand district.

Question 26: The BDE Commander had the utmost respect for the Afghan People. COL Tunnell personally called on me several times to ask me questions and "pick my brain" about working with the Afghan National Army on my last tour. Out of respect for the Pashtun populace in particular, COL Tunnell grew a moustache and I did as well, for example. He attended shuras regularly and expressed a keen interest in Governance, CERP spending, and integration of SOF and Civil affairs into the Brigade's Combat Operations.

Question 34: My battalion was responsible for one civilian death after a small girl ran out in front of one of our Cargo Trucks. When officers from my unit and 4-23 Infantry were dispatched to meet with the mother of the girl and religious clerics at the district governor's home, the governor stated that 5/2 soldiers were the only US forces to pay respect for the dead, treat the body properly, and pay out compensation. He specifically cited the "brutality and calousness" of the local US Marines and British soldiers in the same sector. On both of my tours to Afghanistan, I observed seveal instances of disrespect to Afhgans by the British and Canadian forces.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)	PAGE 1 OF 3 PAGES
-------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT 0900 DATED 29 OCT 2010

9. STATEMENT (Continued)

Questions 40 and 42: The BCT Commander's thoughts on Counterinsurgency vs. COIN substantiated the concept that the operations conducted by 5/2 were in line with current COIN doctrine and were shaping efforts set into place to ensure future success of COIN operations by follow on forces to the AO.

FM 3-24 para 1-106 figure 1-1 states that "the proportion of effort devoted to offensive, defensive, and stability operations within COIN is changed over time in response to the situation and can vary geographically and by echelon". In the 5/2 AO, COIN had to be approached differently than in RC East or North.

Based on the human regional geography of southern Afghanistan, 5/2 faced an AO that contained the historical stronghold of the Taliban as well as the geographic area

from which the group originated. Additionally, the unit was responsible for both Zabul and Kandahar provinces. Based on FM 3-24, our Brigade Commander's intent was to devote the initial proportion of effort to destruction of the insurgents. The Center of Gravity as assessed in our AO was the Arghandab River Valley, and the clearing operations we conducted there were directly in line with GEN McChrystal's COMISAF initial assessment memorandum that assessed the area of OEF operations dated 30 August, 2009. This memo outlined that "The key geographical objectives of the major insurgent groups are Kandahar City and Khowst Province". Although the General's strategy also stated that the focus would be on the population and NOT on seizing key terrain or focusing on fighting the insurgents, this had to be done first in the Arghandab River Valley to ensure the population was safe in Kandahar City. It is from this initial kinetic focus that the Brigade took that caused the schism between ourselves and Regional Command South. Had our initial efforts there been directly related to the population without addressing the insurgents, we clearly would have taken even more casualties.

After the operations in the valley were complete, COIN was the primary focus. 4-23 IN secured the population of villages across the vast Zabul province while 2-1 Infantry disrupted Taliban operations in Maiwand province. Each Battalion spent millions of CERP dollars and routinely engaged in cash for work programs, village medical outreach operations, and secured routes and villages so Provincial Reconstruction Teams could safely conduct operations to restore essential services. Governance for the AO was tasked to the Special Troops Battalion. 3000 people went back to work in the Arghandab, and the Leader of the Zabul Province petitioned RC-S with a letter begging 4-23 Infantry to stay because the people felt safer. Stryker Brigade efforts to clear routes, secure culverts from IEDs, and protect the people became overshadowed by the ridiculous myth of a rogue Brigade fueled by (b) (6), (b) (7)(C) article and the mistrust of RC-South. All of this was also affected by a perceived disruption of the Unity of Effort Between RC-S and its subordinate task forces. None of these factors contributed to the "Rogue Squad" or the murders that took place. The Rogue squad resulted from leadership failures at the Company and below level.

Question 44: For ammunition accountability, a contract was supposed to be established IOT provide the 4 major FOBs with a properly run ASP. This did not receive priority so units had to manage their own AHAs. From the perspective of the Support Battalion, units could not draw ammunition without the proper consumption reports and accountability paperwork. Once this ammunition was properly signed for by our subordinate battalions, the BSB did not manage issue to squads and platoons. None of our Logistic Support Teams at any of the battalions ever reported there were issues with accountability. It was my understanding that any patrol in which grenades were issued resulted in the unused grenades being returned immediately after the patrol was complete to the BN AHA. From that point, if a grenade was used, a consumption report had to be generated.

Below are some of the important operations and achievements I would like to record that the Brigade executed in support of Regional Command South that demonstrate a unit that was never in crisis.

1. The only unit that conducted Joint resupply missions with CJSOTF in RC-S
2. The Support Battalion supported the Brigade over three entire provinces for 9 months without a Sustainment Brigade to provide EAB logistic support.
3. The Brigade spent 60% of all the CERP funding for RC-South.
4. The Brigade alone provided 25% of all intelligence to the Kandahar Intelligence Fusion Center
5. The Brigade cleared and secured culverts on roads stretching 500 Kilometers in 4 directions
6. The 8-1 Cavalry Squadron were the first conventional forces to control and secure the Chaman Gate border crossing with Pakistan.
7. The support battalion conducted over 250 Logistic Resupply Missions and did not take a single KIA.
8. The Stryker Brigade single handedly escorted the entire 215th ANA Corps into their new base at Shorabak.
9. The 4-23 IN and 1-17 IN Task Force held blocking positions for Operation Moshtarak that enabled the entire US Marine Task force to successfully contain the Taliban Stronghold of Marjeh.
10. The 2-1 Infantry Task Force "Legion Academy" became the model for all ANA partnership missions in Regional Command South, and our unit was not even task organized as an Advise and Assist BCT.

///NOTHING FOLLOWS///

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT 0900 DATED 29 OCT 2010

9. STATEMENT (Continued)

// NOTHING FOLLOWS //

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 day of OCT, 2010 at (b) (6), (b) (7)(C)

(Typed Name of Person Administering Oath)

Judge Advocate
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

32

para 3i(3)

GR&D

Governance, Reconstruction,
& Development | June 20,
2010



Taiwand Report: The Pride of Afghanistan



Governance, Reconstruction, & Development

Commander, Task Force Stryker:
Col. Harry D. Tunnell IV

(b) (6), (b) (7)(C)



The views expressed in this report are those of the authors and do not necessarily reflect the official policy or position of the 5th Brigade, 2nd Infantry Division, the International Security Assistance Force, the Department of the Army, the Department of Defense, or the U.S. Government. Authors of Task Force Stryker's Governance, Reconstruction, and Development publications enjoy full academic freedom, provided they do not disclose classified information, jeopardize operations security, or misrepresent official U.S. policy. Such academic freedom empowers them to offer new and sometimes controversial perspectives in the interest of furthering debate on key issues. This report is cleared for public release; distribution is unlimited.

This publication is subject to Title 17, United States Code, Sections 101 and 105. It is in the public domain and may not be copyrighted.

Over Captions:

Top) Afghan students receive school supplies from ANP and U.S. Soldiers from 2-1 at Wazi Muhammad Khan School in Hatal, Afghanistan, Jan. 7, 2010. (U.S. Air Force photo by (b) (6), (b) (7)(C) Released)

(Bottom) Maiwand district elders attend a development shura in Hatal, Feb. 17, 2010. The district leadership met with village elders and U.S. Soldiers from 2-1 to discuss development plans. (USAF photo by (b) (6), (b) (7)(C) Released)

UNCLASSIFIED

COMMANDER
TASK FORCE LEGION

Maiwand District is the highly agrarian and transitory westernmost district of Kandahar province. Historically, its importance has lain in being the gateway between the agriculturally rich Helmand province and the heavily populated areas of Kandahar province. Highway 1 is the major commercial artery that connects Helmand to Kandahar province and it runs directly through the town of Huta, the District Center of Maiwand. Afghans' ability to conduct daily business and move along this road without threat of illegal taxation and shakedown or the fear of Taliban intimidation and attack is vital. It's an important step in restoring faith in the Afghan National Security Forces' and International Security Assistance Force's ability to provide persistent security, it's critical to enhancing the free flow of commerce and an indicator of the Islamic Republic of Afghanistan's credibility and legitimacy.

Task Force Legion's efforts to improve freedom of movement in Maiwand, increasingly competent and confident Afghan National Security Forces and an involved community have enhanced security in Maiwand and set the conditions for improved governance, and expanded development and services that will deny insurgent access to the populace and improve village and district ties to the provincial/national government. Task Force Legion has implemented a "local, bottom-up approach" to the challenges of Maiwand due to its residents' lack of ties to the provincial/national mechanisms of government. This approach tapped into cultural pride and a predisposition towards local, community and tribal solutions to problems. The weekly and representative District Shuras (comprised of tribal elders and Maliks, local businessmen and district/ANSF leadership) made determinations on where to focus work programs, projects and security efforts within the community.

Simultaneously, Task Force Legion worked to improve the competence and confidence of both the Afghan National Security Forces and the representative District leadership. Successive graduating classes of the Legion Academy and embedded partnership with Afghan National Police and National Directorate of Security officers and the Afghan National Army forces has led to a security force residents respect, support and work alongside to improve security. Finally, continuous partnership with District leadership has transformed the power sharing dynamics within the District. An increasingly confident and capable District Leader has the respect of the tribal and village leadership. The collective community leadership work towards common goals of improving security, enhancing social/political bonds at the local/district/provincial level and focusing development efforts through separate Security, Development and Judicial Shuras.

The people of Maiwand understand their future prosperity lies in relying on each other as a community. This is a time of promise as Maiwand communities are now the driving force behind improved security, more responsive governance and increasingly effective development.

(b) (6), (b) (7)(C)

Table of Contents



Section 1	
THE PRIDE OF AFGHANISTAN	2
Hutal Green Zone	4



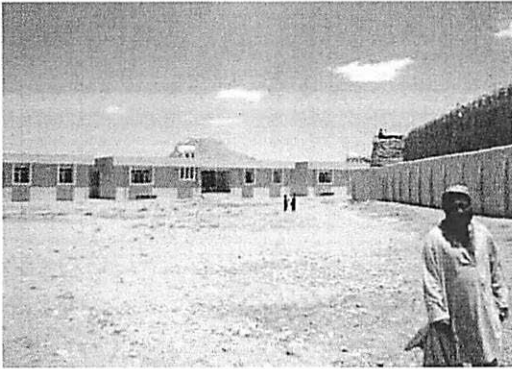
Section 2	
GOVERNANCE	11
Using the Shura	12



Section 3	
THE LEGION ACADEMY	19



Section 4	
HYDROLOGY	25



Section 5
APPENDIX

A. Acronyms and Definitions

33

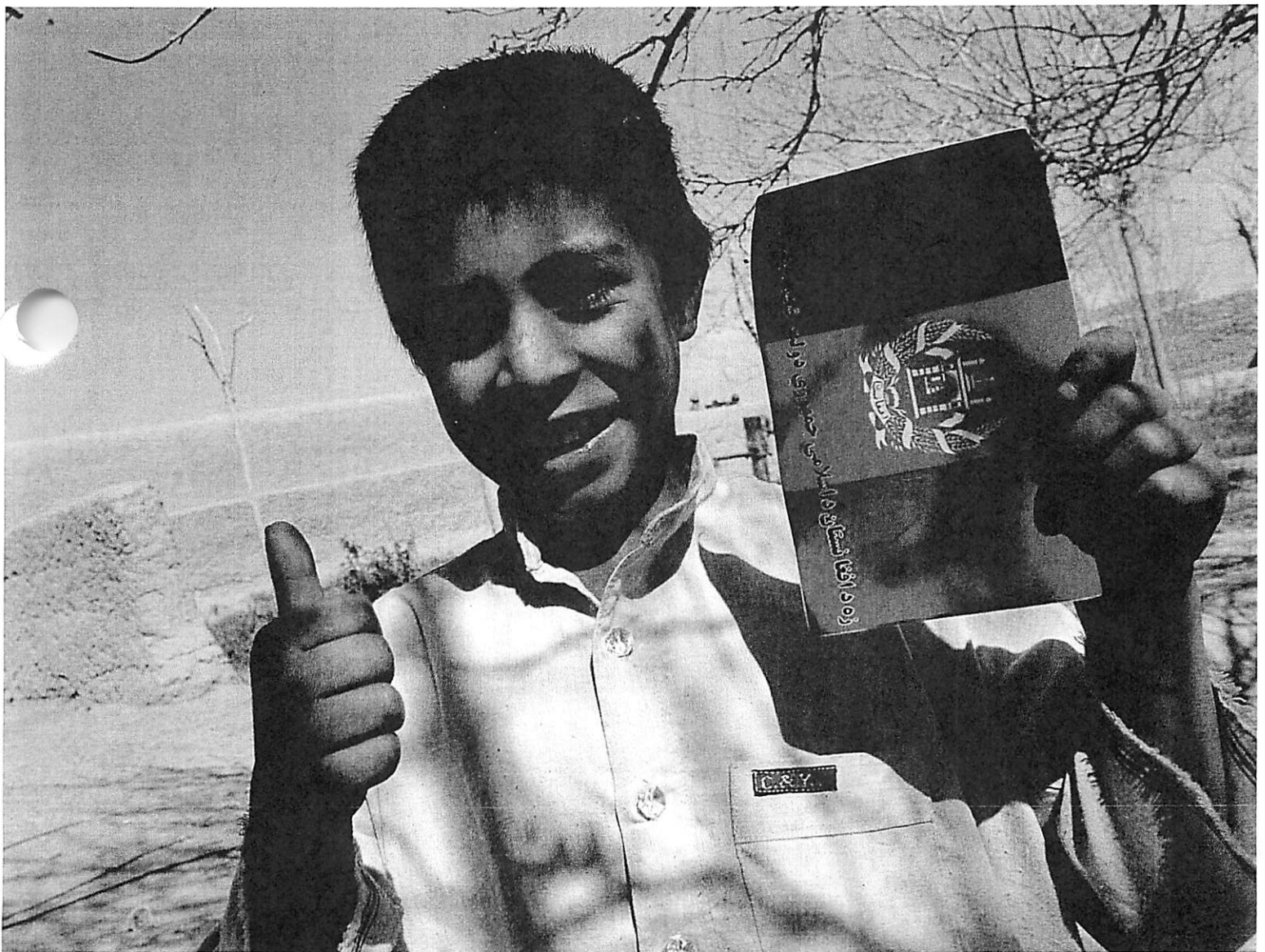
34



U.S. Army (b) (6), (b) (7)(C) with B/2-1 secures an area with an Afghan National Policeman during a joint patrol in the village of Pir Zadeh, Mar. 6, 2010. (U.S. Air Force photo by (b) (6), (b) (7)(C))

An Afghan boy shows
off his Afghan flag
sticker he received
from U.S. Soldiers with
Blackwatch Company,
2nd Battalion, 1st
Infantry Regiment in
the village of Pir Zadeh,
Mar. 6, 2010. (U.S. Air
Force photo by (b) (6), (b) (7)(C))
(b) (6), (b) (7)(C)

1 THE PRIDE OF AFGHANISTAN



THE PRIDE OF AFGHANISTAN

THE SIGNIFICANT OF MAIWAND

Maiwand is historically known for the Battle of Maiwand in which a defeat was inflicted on a British brigade under General Burrows by Ayub Khan on 27 July 1880. The Battle of Maiwand was one of the principal battles of the Second Anglo-Afghan War. The Afghan victory at Maiwand was at a cost of anywhere between 2,050 to 2,750 Afghan warriors killed and probably about 1,500 wounded. On the other side, about 969 British/Indian soldiers were killed and 177 more wounded. It is however one of the few instances in the 19th century of an Asian power defeating a Western one.

Rudyard Kipling, who had researched this battle in 1892, included this small yet dramatic poem about the action at Maiwand in his Barrack-Room Ballads collection. That Day extract:-

*"There was thirty dead an' wounded on the ground we wouldn't keep -
No, there wasn't more than twenty when the front began to go;
But, Christ! along the line o' flight they cut us up like sheep,
An' that was all we gained by doing so.
I 'eard the knives be'ind me, but I durstn't face my man,
Nor I don't know where I went to, 'cause I didn't 'alt to see,
Till I 'eard a beggar squealin' out for quarter as 'e ran,
An' I thought I knew the voice an' - it was me!
We was 'idin' under bedsteads more than 'arf a march away;
We was lyin' up like rabbits all about the countryside;
An' the major cursed 'is Maker 'cause 'e lived to see that day'
An' the colonel broke 'is sword acrost, an' cried."*

Poems of the victory at Maiwand have passed into Pashtun and Afghan folklore. As Afghan legend would have it, the battle created an unlikely hero in the shape of an Afghan woman called Malalai, who on seeing the Afghan forces falter, used her veil as a standard and encouraged the men by shouting out:

*Young love if you do not fall in the battle of Maiwand;
By God someone is saving you as a token of shame;*

She also said the following Landay (Pashto Poetry):

*With a drop of my sweetheart's blood,
Shed in defense of the Motherland,
Will I put a beauty spot on my forehead,
Such as would put to shame the rose in the garden*

Maiwand is also a prestigious and proud name for Afghan males. The regional Afghan National Police Headquarters in southern Afghanistan is named the 404 Maiwand Zone.

THE PRIDE OF AFGHANISTAN

THE MAIWAND LION

The Maiwand Lion is a sculpture and war memorial in the Forbury Gardens, a public park in the town of Reading, in the English county of Berkshire. The statue was erected in 1886 to commemorate the deaths of 329 men from the 66th Berkshire Regiment during the campaign in Afghanistan between 1878 and 1880. It is sometimes known locally as the Forbury Lion.

The inscription on the plinth reads as follows:

This monument records the names and commemorates the valour and devotion of XI (11) officers and CCCXVIII (318) non-commissioned officers and men of the LXVI (66th) Berkshire Regiment who gave their lives for their country at Girishk Maiwand and Kandahar and during the Afghan Campaign MDCCCLXXIX (1879) - MDCCCLXXX (1880). "History does not afford any grander or finer instance of gallantry and devotion to Queen and country than that displayed by the LXVI Regiment at the Battle of Maiwand on the XXVII (27th) July MDCCCLXXX (1880)."

Despatch of General Primrose.



Source: Wikipedia

BEN SKLAVER VILLAGE GREEN

PURPOSE

Authors: (b) (6), (b) (7)(C)

Contact: (b) (6), (b) (7)(C)

Editor: (b) (6), (b) (7)(C)

When Task Force Legion arrived in Huta, the district center was half built and the district governor was ineffective. The bazaar was in decline as economic development was stunted by lack of security. Task Force Legion established persistent security around 14 villages centered around the District Center. After security was established, the Ben Sklaver Village Green Concept began.

BEN SKLAVER VILLAGE GREEN

Maiwand is the epitome of the agrarian, rural society of Southern Afghanistan. Not blessed with natural resources, a professional workforce, or reliable water flow, it is often looked at by the people and the government as nothing more than a transient area between Kandahar City and Lashkar Gah - a no man's land. As a result, Maiwand has received very little assistance and resources for improved governance. The population of Maiwand has been subjected to years of Government of the Islamic Republic of Afghanistan (GIROA) corruption. They were promised many development projects with little follow through, and as a result the population was disillusioned. Upon our arrival in Maiwand, this disillusion was apparent and was fertile ground for the Taliban's messages.

The Ben Sklaver Village Green is part of the solution to reversing these trends in Maiwand. The Ben Sklaver Village Green will undoubtedly be the long term development legacy of Task Force Legion. The Green is a secure area that shares a common wall with Combat Outpost Rath. It is located in the village of Huta which is the population center, economic and social hub, and seat of government of the Maiwand district. This secure area will provide services not seen for years in Maiwand, to include emergency services, judicial services, electricity, administration, and assistance from line ministries not currently present in the district.

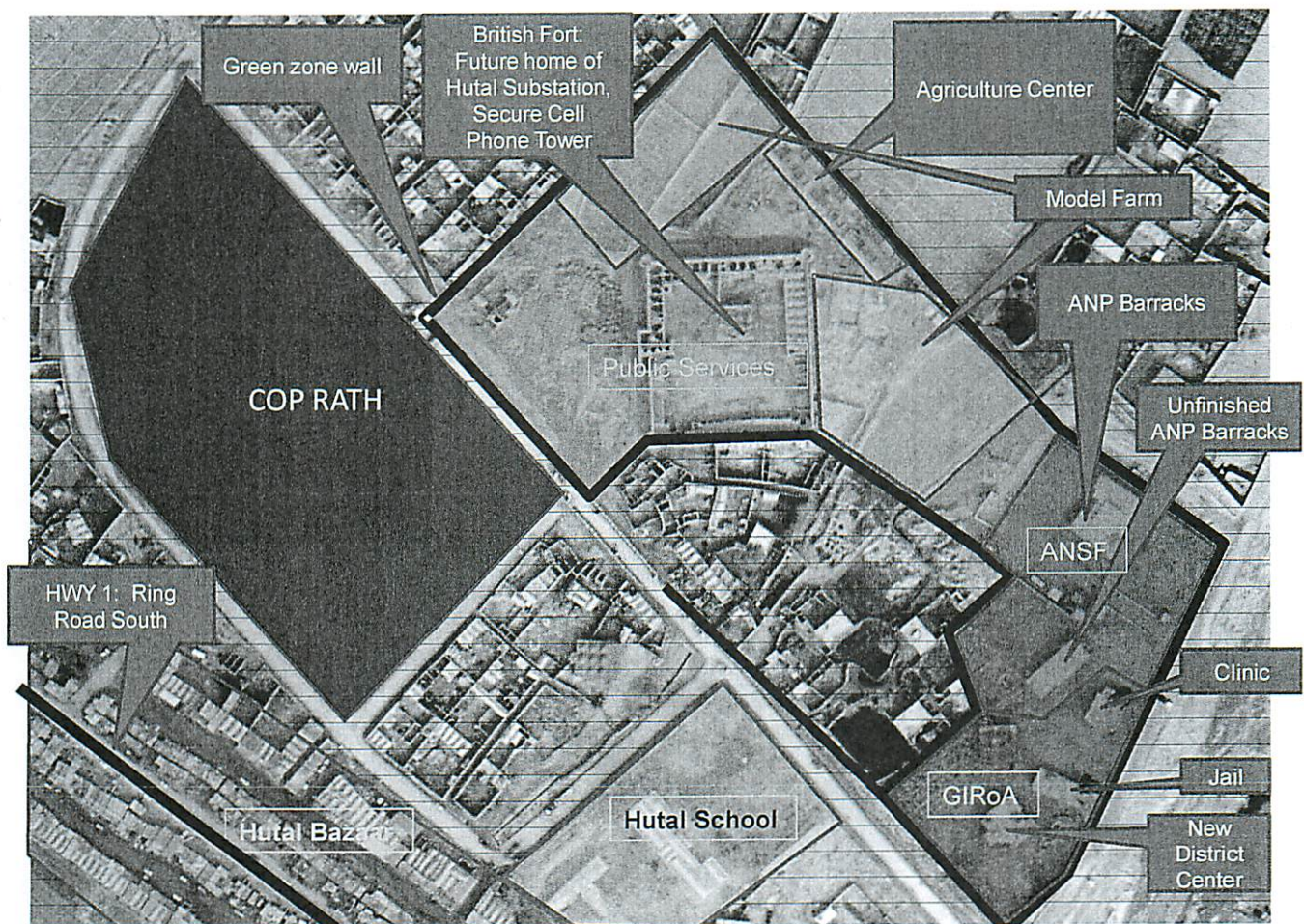
Capitalizing on a Commander's Emergency Response Fund (CERP) funded construction project that was abandoned unfinished in 2008, Task Force Legion funded the completion of work on the new district center for GIROA in Maiwand. The district center has several buildings with ample office space for administrators, a large shura hall, and room for line ministers who have never before been permanently stationed in Maiwand.

Task Force Legion also used CERP to purchase a 500 KW generator. The generator will be ran from inside the district center, and will provide electricity for the district center,

BEN SKLAVER VILLAGE GREEN

the bazaar, and the villages of Chehel Gazi, Khugianai, Kashk e Nokowd, New Huta, and Pir Zadeh. Revenues from electrical customers will ensure the system can sustain its maintenance and fuel costs, as well as expand to other villages over time.

Within the Ben Sklaver Village Green, a brand new Joint District Coordination Center (JDCC) will physically combine operations and planning of Afghan National Police (ANP), Afghan National Army (ANA), National Directorate of Security, GIRA, and coalition forces (CF) in one location. CF will live and work at the JDCC, sharing information with the ANP and ANA and ensuring a rapid combined response to security threats in the district. The permanent presence of combined ANA, ANP, and CF in the JDCC will also serve to secure the entire green zone against insurgent attacks.



Ben Sklaver Village Green

BEN SKLAVER VILLAGE GREEN



The model fields will be an important aspect of poppy replacement and water conservation education for farmers in the Maiwand District

The wall around the village green will also protect government provided housing to ensure that Line Ministers and key professionals can no longer use security as a reason to avoid their duty to the citizens of Maiwand. The wall is nearly complete, and work has begun on renovation of housing for line ministry officials. This work is scheduled to be completed in July.

Another key component of the Green Zone is the agriculture and vocational training center. This is a Canadian International Development Agency project that had been abandoned for several years and then restarted this year after security improved. The Agriculture Center is composed of six large buildings, with many classrooms and storage rooms within each classroom. The Agriculture Center will provide resources, education, and training to address the two biggest root causes of instability in Maiwand: poppy and water. Programs will address the Maiwand water shortages through education and implementation of better conservation practices. A great deal of water is lost through sand-based canals and flood irrigation of crops, so programs will

BEN SKLAVER VILLAGE GREEN

PROJECT	TARGET DATE	EST. COST	% Complete	# OF JOBS
Bazaar Cleaning	NOV	\$1,840.00	100	20
Pir Zadeh Cleaning	DEC	\$1,668.00	100	25
Bazaar Drainage Ditches	DEC	\$5,400.00	100	20
NDC Water	JAN	\$1,251.00	100	4
Old Fort Clean Up	JAN	\$1,200.00	100	11
Hulk Removal	DEC	\$5,000.00	100	20
School Heaters	JAN	\$188.00	100	1
Old Fort Front Gate	JAN	\$930.00	100	6
Lantern Purchase	FEB	\$13,000.00	100	1
New District Center Tower	JAN	\$4,500.00	100	10
Bazaar Erosion Control	FEB	\$13,200.00	100	20
School Window Repair	FEB	\$1,020.00	100	5
NDC C-wire	FEB	\$0.00	100	0
Local Medicine Purchase	FEB	\$11,439.00	100	2
School Supply Delivery	FEB	\$0.00	100	0
Local HA Food Purchase	MAR	\$37,000.00	100	12
NDC Gate Re-install	MAR	\$420.00	100	5
NDC Windows and Door Locks Installation	JAN	\$185.00	100	4
Wadi Catch Dam	MAR	\$22,602.75	100	90
Ruins Clean-up	MAR	\$2,940.00	100	23
Soccer Field	APR	\$1,100.00	100	10
Adult Literacy Program	MAR	\$640.00	100	4
Bazaar Trash Bins	APR	\$2,000.00	100	12
Village Bridge Repair	APR	\$5,840.00	100	10
Ag Center Vehicle Bridge Repair	MAY	\$5,864.00	100	21
Well Repair Kashk-E-Nokowd	MAY	\$229.00	100	5

List of Complete Projects

focus on teaching the people of Maiwand more efficient irrigation techniques. At the same time the Agriculture Center will offer classes that teach local farmers to properly grow the crops that will eventually replace poppy. The center will also plant and

BEN SKLAVER VILLAGE GREEN

maintain a small model farm to show local farmers practical examples of alternative crops and water conservation techniques. Although Maiwand is the poppy capital of Kandahar Province, farmers are open to alternative crops as long as they are taught how to grow them and the cost is subsidized. When complete, the Agriculture Center will be essential to introducing sustainable alternatives to poppy. Construction work on the center was completed in June 2010, and the Department of Agriculture, Irrigation, and Livestock (DAIL) is expected to accept the project and provide additional DAIL staff members by sometime in July 2010.

The Ben Sklaver Village Green is scheduled for a ribbon cutting ceremony on June 28th. The Provincial Governor along with members of the DAIL and the Department of Rural Reconstruction and Development are scheduled to fly in for the ribbon cutting. Less than eight months ago, the buildings which comprised the New District Center were riddled with bullet holes and left only 30% complete, though they were fully funded. The New District Center was the perfect example of a project initiated in good faith but left to rot after issues with security and local corruption. Through a truly combined effort of CF, civilian partners, local GIRoA, and Afghan National Security Forces (ANSF), this "eyesore" and reminder of corruption and lack of security has been transformed into a very visible symbol of the growth and renewal that is taking place in Maiwand.



Living quarters and administrative offices are available in the new district center compound as well

BEN SKLAVER VILLAGE GREEN

PROJECT	TARGET DATE	EST. COST	STATUS	% Complete	# OF JOBS
Chehel Gazi Karez Cleaning	MAY	\$7,760.00	Ongoing	75	10
Greenzone wall	APR	\$74,554.34	Ongoing	75	30
Agriculture Center	APR	\$440,000.00	Ongoing	99	15
NDC Building Completion	APR	\$88,301.00	Ongoing	99	20
Village Well(s) Repair	APR	\$7,200.00	2 Complete 1 Ongoing	85	6
Bazaar Drainage Extension	MAY	\$23,200.00	Ongoing	75	10
Maiwand Electrical Project	MAY	\$194,552.00	Ongoing	100	7
Wadi Catch Dam Reinforcement	MAY	\$22,800.00	Ongoing	20	55

TOTAL**TOTAL**

\$997,824.09

494

FUTURE PROJECTS

PROJECT	TARGET	EST. COST	STATUS	%	# OF JOBS
Flood Wall Wadi	Open		Waiting estimate	0	80
Agri. Center Foot Bridge, Grates, Entrance	JUN		Waiting estimate	25	8
School Repairs & Supplies	MAY		Approved, Awaiting LGCD to Begin	0	30
Clinic Wall	JUN		LGCD coordinating	0	5
Vocational Education Program	APR		LGCD coordinating	0	5
North Wall Culvert Denial	APR		Developing	0	3
School Supplies	MAY		Approved	0	0
Ambulance	JUN			0	0
Bazaar Rehabilitation	JUN		Developing	0	20
Bazaar Solar Light Repair	APR		Developing	0	3
Landfill	JUN		Developing	0	20
Wadi Catch Dam 2	JUL		Developing	0	90
NDC Furniture	JUN		Developing	0	2
NDC Tree Planting	AUG		Developing	0	10
Gov. Housing Refurb	AUG		Developing	0	10
Fort Wall Repair	JUL		Developing	0	10

List of Ongoing and Future Projects

Shura hall during a
standard shura.

2 GOVERNANCE



USING THE SHURA

PURPOSE

Authors: (b) (6), (b) (7)(C)

Contact: (b) (6), (b) (7)(C)

Editor: (b) (6), (b) (7)(C)

When Task Force Legion arrived in Huta, the Taliban had effectively destroyed the traditional leadership structure by assassinating or intimidating most members of the shura. When combined with the extreme corruption and ineffectiveness of GIRA, a leadership vacuum was created and filled by the Taliban. Task Force Legion supported the traditional shura system rather than creating a new governance system. The results of a strong shura were consistently strong populace support, significant increase in tips, and the populace's continuous support of GIRA in the face of harsh Taliban information operations campaign.

LINKING THE PEOPLE OF MAIWAND TO THE AFGHANISTAN GOVERNMENT THROUGH THE SHURA SYSTEM

When Task Force Legion arrived in Maiwand, we realized that there was little to no effective government. We recognized that we would have to focus on basic governance as an essential component of our campaign. The few GIRA representatives serving in Maiwand were identified as inadequate and corrupt by the previous unit, local citizens, and our own impressions. The people of Maiwand saw the Local Government as an enemy, not a force for good. The judicial system functioned as a criminal enterprise. People were arrested arbitrarily and only held until a "fine" was paid. The ANP would often "shake-down" citizens in broad daylight in the bazaar, and truckers reported as many as seven different checkpoints along Highway 1 in Maiwand District at which they were forced to pay ANP for permission to use the road. The previous district leader had cut off electricity to the villages in Huta when they failed to pay the proper "taxes." School and medical supplies provided by non-governmental organizations and development agencies were sold in the bazaar. As a result, GIRA in Maiwand had little legitimacy, and was hated by many of the citizens of the district.

The Taliban had systematically destroyed the ancient building block of the society, the Shura. The shura has been the cornerstone of the society for many years, bringing together the village and tribal elders from throughout the area to settle issues in a democratic way. The Taliban targeted the shura by killing many of its members between 2007 & 2009, and intimidating countless others. The Taliban's destruction of the shura resulted in leaderless villages, malleable for Taliban influence, with no connection to the government of the district.

As a result, by September 2009, the Maiwand government consisted of a destroyed shura that lacked attendance and power, led by GIRA officials who were viewed as

USING THE SHURA

incompetent and corrupt. There was no system of justice for either criminal or civil matters. The Taliban were the only organization that maintained any form of Rule of Law in the district. Rule of Law (i.e., dispute resolution, basic justice) is very important to a society that has very few possessions and resources. Though Afghan society has survived for thousands of years without many technological advances, this society has not survived without fair and legitimate rule of law. The Taliban's ability to fill this vacuum is the primary reason they were able to regain power and control in Maiwand which had been considered a fairly safe and stable district as late as 2007. There is plenty of anecdotal evidence that the Taliban has been able to fairly decide small issues like water rights, petty crimes, and land use in the absence of a powerful district shura or a working public justice system.

Upon discovering Maiwand in this situation, Task Force Legion quickly realized that the key to building the local government, rebuilding the village/tribal strength, and giving



(b) (6), (b) (7)(C)



Kandahar Gov Wesa buys a piece of local bread from a vendor in the Huta Bazaar, with (b) (6), (b) (7)(C) District Governor Obeidallah Bawari, and shura members in the background. This trip to the bazaar occurred at a moments notice with no prior security in the bazaar. Nine months ago the Bazaar was called the "Taliban Bazaar" by local citizens.

USING THE SHURA

hope to the local citizens would be to reinvigorate the shura. Functioning like a district level congress & jury, the communal character of the shura naturally addresses the issues of Rule of Law, corruption, and instability in a manner understood and supported by the local populace. We set out to reinvigorate the shura by ensuring that it was both relevant and visible to the community. We initially did this by talking to locals, especially key leaders, during each patrol and telling them that the shura would help to solve their problems. At the same time, we ensured that local citizens understood we would handle both justice and development issues at the shura. This quickly increased attendance.

Shuras occur once a week and alternate weekly between justice and security issues. Shuras generally last between three and five hours, with a large meal served in the middle. The District Governor presides over the shura, essentially as a moderator and acting as the judge when necessary. During the shura, conversation and emotions can rapidly escalate, so our tactic is to passively move conversation when we sense it is beginning to lose focus or escalate in a way that would not be productive. However, this is tricky as a key to our success is ensuring that the community understands we support, not control, the shura and the formal and informal leadership. Often times this requires that we risk allowing the conversation to travel to places we cannot control, though the reward is generally worth it: GIRoA and tribal leaders publically solving local problems together.

It is important to note that the Shura is composed of a number of different leaders, not all of which have formal titles, though they might be very important. Most of the leaders are Maliks. A Malik is a technically a large landowner, but is generally understood to be the Mayor of the village. In some cases one Malik may attend the shura on behalf of several communities. One unique aspect of the Maiwand shura is that the local power structure is equally based on tribal and village leadership. In some cases a village leader is more powerful than a tribal leader, although the most powerful man in Maiwand is a tribal leader. Understanding and tapping into the formal/informal power broker system is a critical part of success in a society that is shaped by ancient alliances and grudges. We quickly learned that perceptions of the truth within the local villages were in a way shaped by the power brokers in the shura.

At the shura, we positioned ourselves as an independent entity that would only operate fairly and for the people as a whole. We did this so that local citizens did not associate us with the corrupt government officials. After ensuring that all projects would be publically nominated and debated and decided upon in collaboration with GIRoA, local leadership, and CF, we began to execute small-scale projects that focused on restoring power to key tribal leaders. We did these projects in small numbers at first so that we could ensure proper oversight over each project and to ensure that other leaders heard of this success and would want to work with CF/GIRoA. As we built momentum through increased participation at the shuras, we increased the number of projects

USING THE SHURA

initiated. The overall result achieved by the shura and the initial small projects was that we took away the free-flow of funding directly from coalition forces to GIRoA officials, decreasing the opportunities for corruption. Over time, as we gained rapport with the District Governor, we began to make him the lead for the coordination of projects after they were nominated by the Shura. With our Civil Affairs team we maintained strict oversight of these projects and tracked how the money was spent. When these projects were completed the government began to get a better reputation and to gain legitimacy. This reinforced the principles of the shura resulting in increased attendance as local leaders realized that their communities would benefit by attending.

The first few months of our operations in Maiwand, the shura met every other week. We made it very clear in our messaging during patrols that villages would only get coalition force projects if they sent an elder to the shura to represent them. Once the word got out that coalition forces were serious about utilizing the shura for all development, attendance rose rapidly. By November 2009, average shura attendance was over 50 elders and businessmen every two weeks. For a project to be discussed at the shura, it would have to be nominated to the District Governor or to the coalition forces the week prior. At the shura itself the District Governor opens with remarks and then asks the elders if they would like to discuss any issues. It is at this point that the elders have the opportunity to argue for their nominated projects. All parties have an opportunity to make remarks about each project nominated. If a consensus is reached on a project between the elders, the District Governor, and the coalition force commander the project is resourced and funded for execution. This approach to development works well because of the ownership and unity created through the shura process. Although most of the projects nominated in this manner are small – the process itself is the means to an end: a closer relationship between the citizens and their government officials.

As attendance at the development shura grew we began to realize that many hours were spent each meeting discussing topics not related to development. Every time the shura met, elders would want to discuss grievances they had with coalition forces, government officials, or between their village and neighboring villages. The success of the development shura and the vast amount of time devoted to Rule of Law and security issues caused GIRoA, CF, and the shura elders to take the next step and institute a shura just for these issues. During the initial Rule of Law/Security shura the elders decided that it should be named “the People’s Shura” as its purpose would be to “deal with the problems of the people.” The district governor decided that there would be a shura every Wednesday and that the shura focus would alternate between the People’s Shura and the Development Shura.

The primary topics discussed at the People’s Shura are detainees, CF and ANSF current operations, Rule of Law issues, and reintegration. A particular area of success has been

USING THE SHURA

the Rule of Law realm. Smaller issues are handled by discussion moderated by the District Governor. CF representatives generally try to ensure that the topic is thoroughly discussed, occasionally offering solutions, a final decision made, and a plan for execution is agreed upon. More detailed issues are handled in a trial like setting. One example was ANSF-caused civilian casualties. For more serious issues, the District Governor presides and both sides present evidence. Though the District Governor presides and has final say, he follows Afghan tradition and serves more as a moderator than a judge.

The shura became an important venue for Information Operations as well. In a society where greater than 90% of the population is illiterate and without electricity, word of mouth is the most powerful method of spreading information. The shura offered a great way to disseminate our message and gave local leaders access to information that they did not have previously. We did not discuss our future operations but we did give attendees basic information about recently conducted operations, such as who was detained and why, or why we went to a specific village. This type of transparency is looked upon as respectful by the elders of a society that has traditionally been kept in the dark about the war in their own backyard. Taking the time to talk with local leaders about our operations has been another important cause for the growth of the shura, which in turn has led to increased legitimacy for GIRoA in Maiwand.

While we built relationships with local informal leaders and empowered them at the shura, we simultaneously partnered with the District Governor. The Company Commander spent an enormous amount of time with the District Governor, discussing issues and giving him advice on how to be a more effective administrator and leader. We brought corruption to his attention whenever we found it. The District Governor has always responded positively to this, each time growing in his leadership abilities. The result is that local citizens throughout the area now see him as a true leader who has their best interests in mind.

The bottom-up approach to building the shura has returned excellent results. In September 2009 the majority of the local population viewed ANSF and GIRoA with fear and distrust, in fact this was a top census complaint in Tactical Conflict Assessment Planning Framework questioning. Many of the villages in the area now call for increased ANSF presence. Citizens come from the farthest reaches of the district to seek the District Governor's assistance with problems. The perception of security and hope has been the basis for the increase in school attendance from an average of 75 to over 500 students per day. Local national tips on improvised explosive device (IED) emplacement have increased greatly over the past few months, and the majority of those tips go straight to the ANP and District Governor further reinforcing the affirmation that local citizens have begun to trust the local government. Most importantly, local nationals throughout the district have publically chosen ANSF, GIRoA, and CF over the Taliban when they had to make such a choice. In March 2010,

USING THE SHURA

two workers from coalition force sponsored development projects were kidnapped and beaten. The Taliban distributed night letters to all of the Mosques threatening the same for anyone else who cooperated with CF and GIRoA. Rather than obey these letters as had happened in the past, local citizens proudly tore them up and left them for all to see. Maiwand still has corruption, apathy, and the Taliban. But now, it also has a spirit of hope.

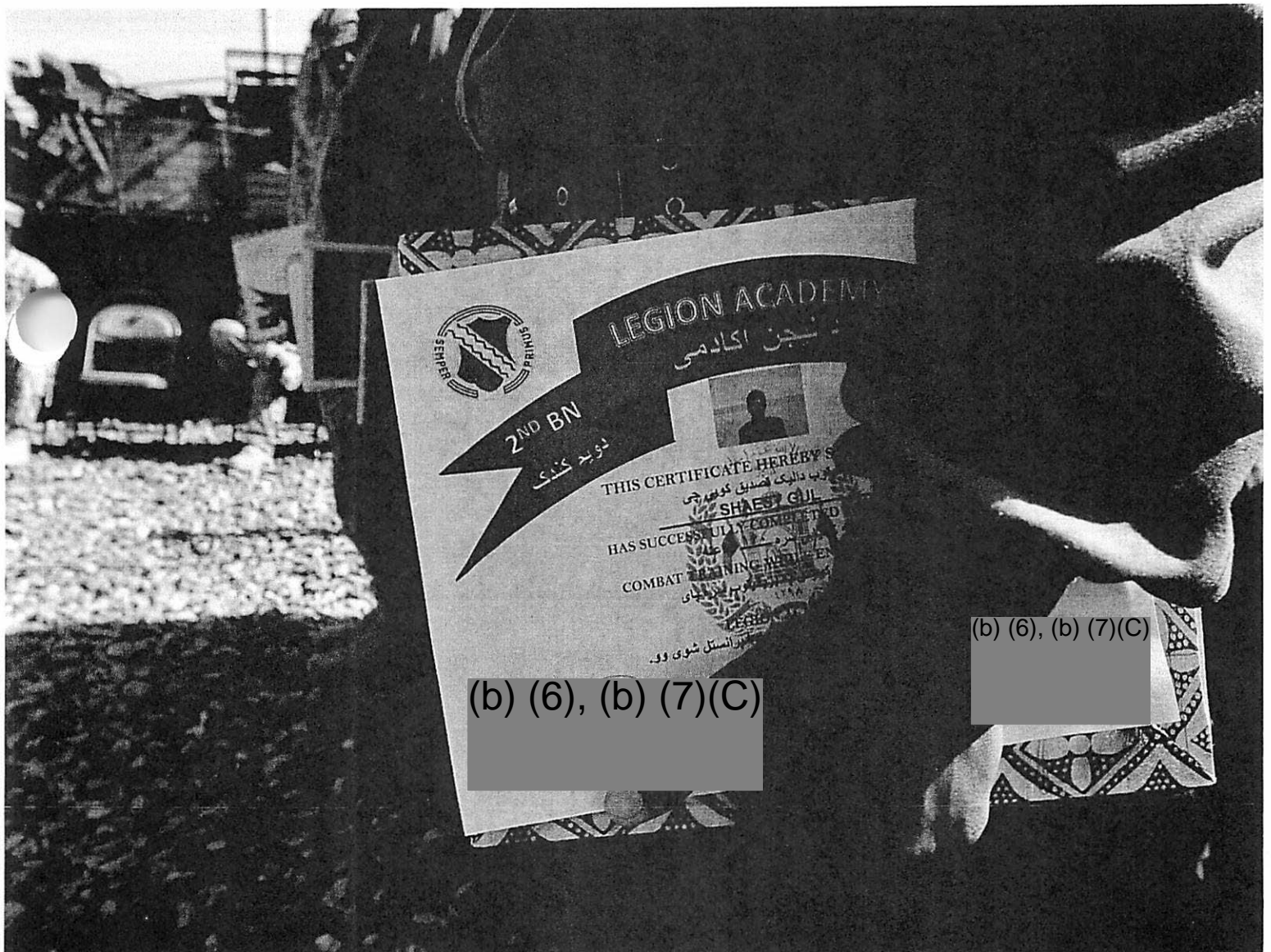


While elders usually rotate in and out of the shura room so that everyone has a chance to speak, every few weeks more elders attend than can fit inside of the shura.

An Afghan National
Policeman holds his
certificate of
completion during the
Task Force Legion
Academy graduation
ceremony, Forward
Operating Base
Ramrod, Mar. 7, 2010.
(U.S. Air Force photo by

(b) (6), (b) (7)(C)

3 THE LEGION ACADEMY



THE LEGION ACADEMY

PURPOSE

Author: (b) (6), (b) (7)(C)
Contact: (b) (6), (b) (7)(C)
Editor: (b) (6), (b) (7)(C)

Upon arrival to the Maiwand District, Task Force Legion identified a disparity between the ANA and ANP's capacity and capability to combat insurgency. The local populace viewed the ANA in a moderate to positive attitude. Conversely, the ANP were viewed in a negative light because of their rampant corruption and the inability to perform basic policing skills. To solve this issue, the Legion Academy was created.

THE LEGION ACADEMY

In September 2009, neither ANSF force in Maiwand possessed the basic soldiers skills and discipline required to effectively combat the entrenched insurgency that they faced. Task Force Legion realized that in order to provide freedom of movement on Highway 1 and protect the population along the highway from the Taliban, both ANA and ANP needed to become competent and confident fighting forces. The first step in securing Maiwand was to educate both forces in basic skills that would make them a more professional force. They would also need education in proper techniques and practices used to interact with locals. This approach would allow both forces to gradually earn trust and respect from the local citizens. Separating normal citizens from insurgents is a fundamental step in a counter insurgency fight, and capable ANSF are the key to winning this battle in the long term. With all this in mind, the Legion Academy was developed as a method for improving the professionalism and reputation of the ANSF, and as a means to enable and foster partnership between ANSF and CF.

The Legion Academy does much more than simply provide training for ANA and ANP, it also fosters partnership at the soldier level. The Academy accomplishes this partnership by combining every training squad with a mix of ANA, ANP, and a US non-commissioned officer as a student-mentor. This provides soldiers with a means to share experiences and knowledge so both ANSF and CF can learn from one another. The Academy environment fosters a professional working relationship between the ANA and ANP as they work, train, and live together for the two solid weeks.

The Academy aims to provide skills and tactics that the ANA and ANP can take back to their units and teach their fellow Soldiers and subordinates. With coalition force non-commissioned officers as trainers and student mentors, the students learn and practice basic weapons handling, first aid, IED identification and reduction, and other skills. As a result of this training, ANSF forces have demonstrated improving levels of effectiveness and professionalism when working with Task Force Legion on joint operations. The starkest contrast is evident in the continued improvements seen in the

THE LEGION ACADEMY

Maiwand ANP. In the first two or three months of our operations in Maiwand District, the ANP were sedentary and unresponsive. Due to their lack of training and lack of pride, the ANP would not leave their bases to react to Taliban attacks along the highway. Villagers would invite coalition forces into their compounds during search operations, on the condition that the ANP remained outside the village – due to their reputation of heavy handedness and corruption.

Now, after nearly half of the ANP in Maiwand have attended one of the eight classes of the Legion Academy, the reputation and professionalism of the ANP is transformed. The ANP respond quickly to emergencies in the District. Villagers have recently begun to ask for ANP checkpoints near their villages to protect them against the Taliban. In June 2010, the Maiwand ANP planned and executed a compound search operation with only overwatch and advice from coalition forces. ANP in Maiwand are on a glide path to



The Legion Academy reinforces partnership at all levels between Afghan Government Officials, Afghan Security Forces, and Coalition Forces. Here Legion Academy graduates receive diplomas and congratulations from the highest ranking officials in the District. From left to right:

(b) (6), (b) (7)(C) Col. Namatullah- Maiwand Chief of Police, Obeidullah Bawari- District Governor, Abdul Ghafar- Maiwand Chief of National Directorate of Security, Haji Lala- Assistant Chief of Police

THE LEGION ACADEMY

self-reliance.

Upon the completion of each Legion Academy class the cadre and students conduct a combined after action review to formulate ideas about how to improve the program. This allows Task Force Legion to improve the Academy to better suit the needs of the students. As a result of these after action reviews, Task Force Legion has made administrative improvements, such as increased prayer time, and has added a host of new classes that run the gamut from additional first aid to additional heavy weapons training. Currently, Task Force Legion is preparing to incorporate a leaders class to mentor and teach officers and Non-commissioned officers.



U.S. Army (b) (6), (b) (7)(C) from 2-1 congratulates Afghan National Army Soldiers during the Task Force Legion Academy graduation ceremony at FOB Ramrod, Jan. 31, 2010. (U.S. Air Force photo by (b) (6), (b) (7)(C) Released)

THE LEGION ACADEMY

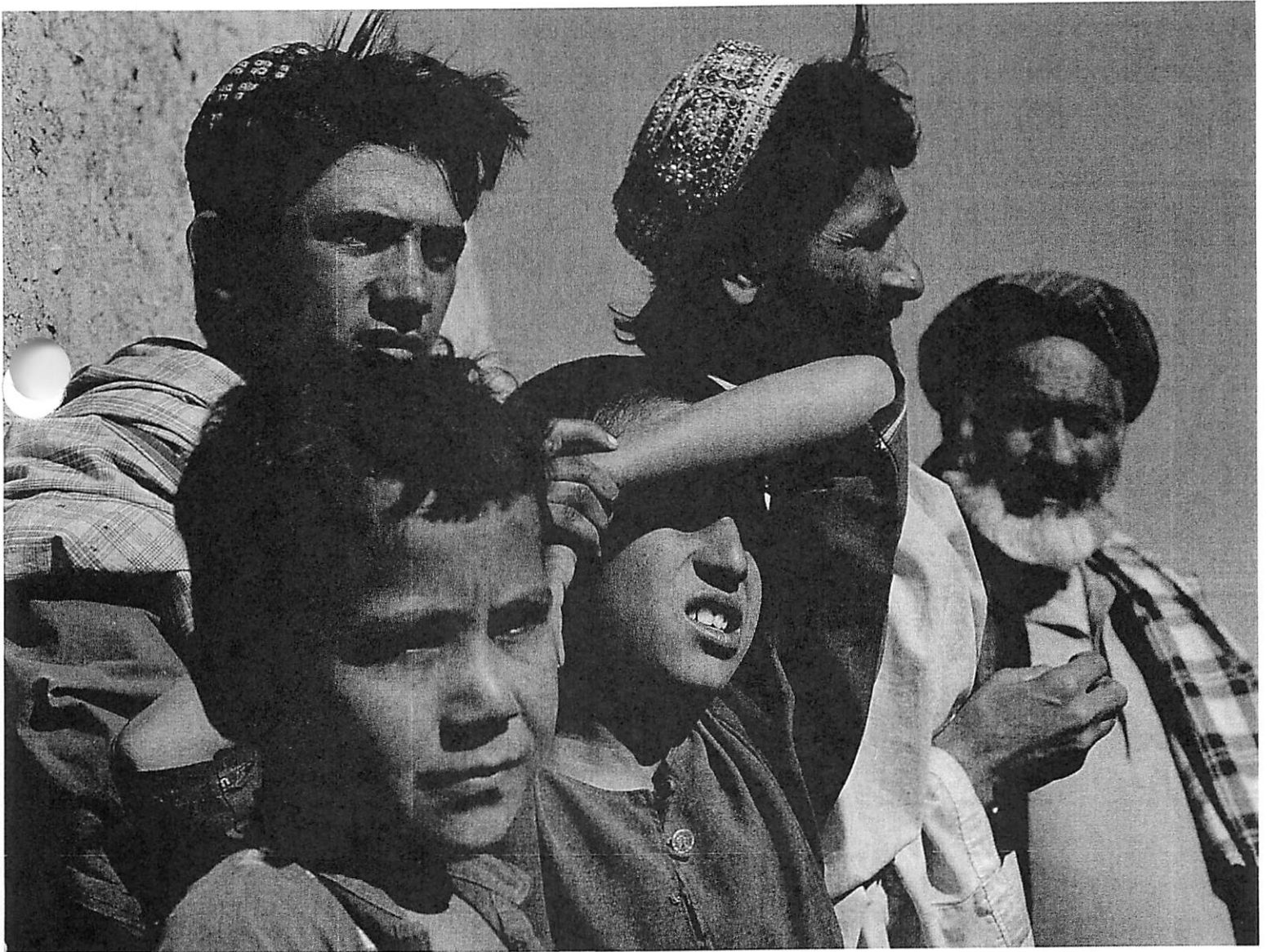
The Legion Academy serves as an example of a creative way to accomplish the mission here in Afghanistan. CF are able to train ANSF, allow junior non-commissioned officers the opportunity to train Soldiers, and foster a partnership all at the same time. The concept of an embedded training program has already spread through the Brigade, and the Legion Academy serves as the prime example. As more students are trained through the Legion Academy, Afghanistan will become an increasingly safer nation as confident and competent Soldiers and Police Officers patrol their local villages and neighborhoods.



U.S. Army (b) (6), (b) (7)(C) with 2-1 leads a group of Afghan Nation Policemen during a room clearing training session at the Task Force Legion academy, FOB Ramrod, Feb. 25, 2010. (U.S. Air Force photo by (b) (6), (b) (7)(C) Released)

Afghan villagers wait
to receive bags of food
during a
humanitarian mission
in the village of
Kashaknakh, Hatal,
Kandahar Province,
Afghanistan, Nov. 25,
2009. (U.S. Air Force
photo by (b) (6), (b) (7)(C))
(b) (6), (b) (7)(C)

4 HYDROLOGY



HYDROLOGY

PURPOSE

Author: (b) (6), (b) (7)(C)
Contact: [REDACTED]
Editor: [REDACTED]

As part of Watershed Assessments for Kandahar, Task Force Stryker has expressed interest in building a small irrigation dam in Maiwand District at Huta – the District Center. This was a potential to be “pulled-out” from the assessments and be treated as an obvious beneficial project that after a very quick initial assessment, could be moved into Survey and Design Phase using CERP funding and eventual construction.

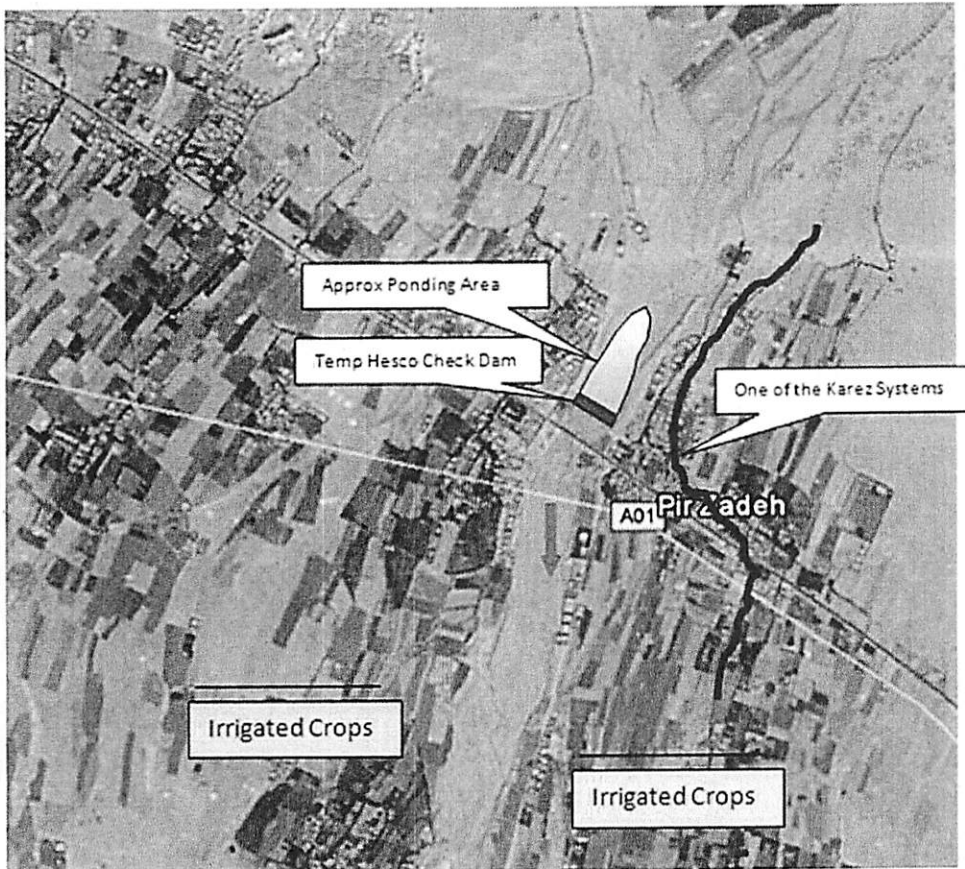
TRIP

On March 28th 2010, I travelled with (b) (6), (b) (7)(C) from Kandahar Airfield to Combat Outpost Rath. We went on patrol with approximately 20 soldiers of Bravo Company, 2nd Battalion, 1st Infantry Regiment to nearby karez systems and poppy fields. Then we visited the temporary check-dam. The purpose of the temporary check-dam was to hold back water and therefore replenish the groundwater in the immediate vicinity. The crops grown in the immediate area was poppy, which was irrigated by pumping water from the karez system running alongside the wadi. To convert farmers from planting poppy to planting licit crops, the amount of water supplied would have to increase. The temporary check-dam is beneficial for this purpose. The unit realized the Hesco Dam is a temporary measure and is interested in building something more enduring- possibly a series of more permanent structures to hold back floods for groundwater recharge.

ACTIONS

The basic concept of using Hesco Barriers as a temporary check-dam to hold back flood waters to recharge groundwater is a valid concept. The exact degree of groundwater recharge cannot be accurately estimated without some surface-groundwater flow modeling, or actual measurements of nearby groundwater levels before and after a major flood event. Hesco Barriers are becoming commonly used for emergency flood protection in-lieu of traditional sandbagging. The downside of using Hesco Barriers is that they are very porous and lose a considerable amount of water through seepage. The United States Army Corps of Engineer's Engineer Research and Development Center (ERDC) has tested the seepage and overtopping capability of Hesco Barriers and determined that the barriers seep approximately four times the amount that sandbags would (1.81 gpm/foot versus 0.54 gpm/foot at a head of 3 feet). The structural stability of the Hesco Barriers is very good. Overtopping only produced minor sand shifting within the barriers and some bent wires. The amount of seepage for the previous flood event that had a storage lasting approximately three days and

HYDROLOGY



three feet of head (assuming 1000 linear-feet of Hescos) would be approximately 30,000 m³ of water going downstream instead of being applied to groundwater recharge, a significant amount lost. Also, research of Hescos Barrier performance during flood events in North Dakota revealed that Hescos were tipping over under load (most likely due to erosion). Concerns of seepage and the ability to withstand overtopping flows indicates that a more permanent, sustainable solution would be beneficial. That solution would involve building a concrete structure.

However, there are complications involved in designing of permanent dam:

1. Avoid flooding within a confined and relatively populated area
2. Determining the number of dams.
3. There will be a very high sediment load entering the reservoir area.
4. Interaction between dam backwater and karez systems.
5. Designing outlet works, emergency spillway, energy dissipation system.
6. Foundation exploration (drill rig – core samples).

HYDROLOGY

RECOMMENDATIONS

Due to complicating factors in the region, I recommend a full-blown design phase rather than rushing into a hastily-designed project that has several potential ways to fail. In the meantime, there are several modifications that can improve the temporary Hesco dam:

- a. Control Seepage at Hesco Barrier Joints: ERDC conducted analysis on reducing the amount of seepage going through the Hesco Barrier. The analysis showed that the majority of seepage occurred at the joints of the Hescos as they butted-up to each other. ERDC had the manufacturer come in and reconstruct the barriers with the following additions:
 1. A double line of putty roofing tape was placed on the floor around the outer edge of where the Concertainers™ would be erected.
 2. Plastic sheeting was placed over the putty and carefully folded at the corners to allow a single roll of sheeting to extend around the outer perimeter of the Concertainers™.

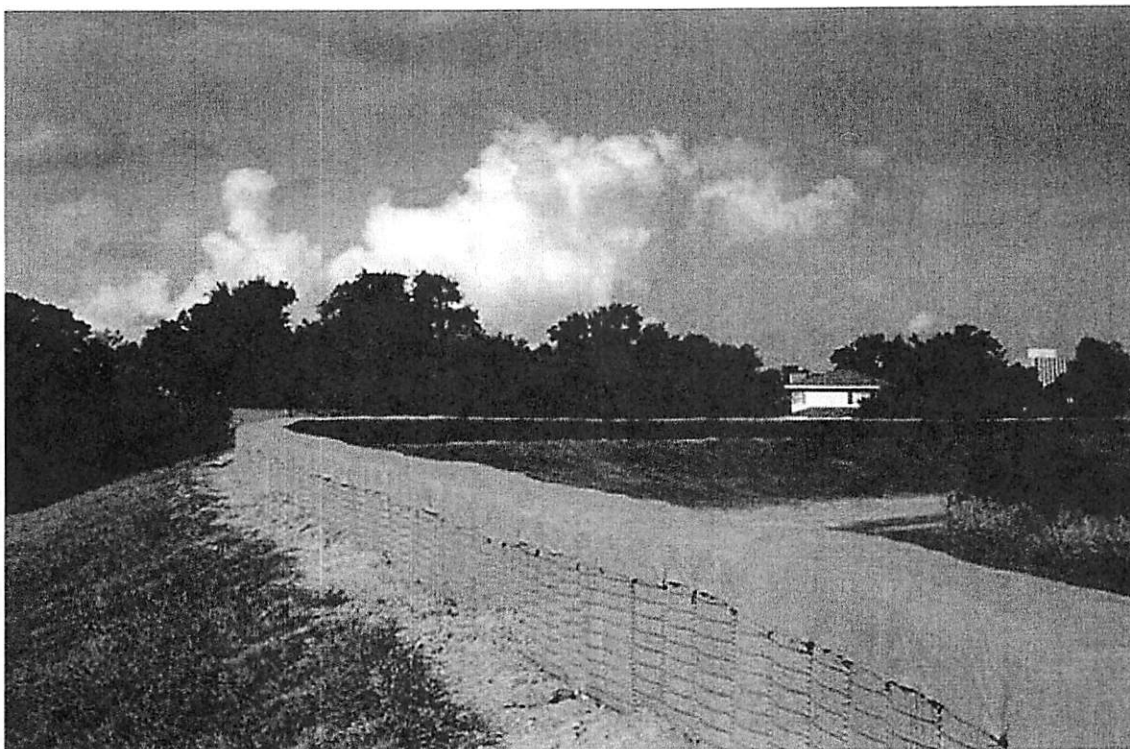


Temporary Hesco Check Dam

HYDROLOGY

3. At the corners, 12-in-wide duct tape was placed over the folds in the plastic.
4. The Concertainers™ were then erected on top of the plastic, and the plastic sheeting was folded up over the outer face of the Concertainers™ and down inside the Concertainers™ prior to filling with sand.
5. The plastic sheeting was cut where the wire mesh extended between the inner and outer walls of the Concertainers™ so the plastic could be folded inside the baskets.
6. Plastic wire ties secured the plastic sheeting to the top of the Concertainers™.
7. Expanding foam sealed the Concertainers™ to the wing walls and duct tape sealed the plastic sheeting to the wing walls.”

The “re-worked” barriers greatly reduced seepage rates from 1.81 gpm/linear-foot to 0.14 gpm/linear-foot.



Example of Covering Hesco Barriers

- b. Cover Top of Barriers: To minimize damage during overtopping events, the tops of the Hescos can be covered with plastic or tarps as shown above.
- c. Hesco Downstream Toe Erosion/Undermining Protection: There are reports of Hesco Barriers overtopping and scouring the downstream surface enough where

HYDROLOGY

the upstream water pressure topples the Hescos. To help prevent this, I recommend placing a combination geo-synthetic fabric, sand or gravel layer, and stone or riprap layer.

- d. Hesco Ends Erosion/Flanking Protection: The ends of the temporary Hesco Dam should have additional riprap placed to prevent flows from flanking the ends of the dam.

OTHER ISSUES

Depth-of-Flow over Dam – A critical element of the design of the existing Hesco Dam and any potential permanent dam is top-of-dam elevation. The elevation of the top of the structure can not be too high or flows will be back-up on existing houses and cemetery in the immediate pool vicinity.

Analysis – A hasty analysis was performed to ensure the existing Hesco check-dam would not back water up on the existing houses and cemetery. Since there has never been any stream gages on this wadi, design flows were crudely approximated by using the nearby gage “Arghandab River at Sung-i-Masha” which has approximately the same drainage area as the Wadi at the gage site. United States Geological Survey Report

Flood Event	Design Flow in Cubic Meters per second	Design Flow in Cubic Feet per second	Flow Depth Over Top of Dam in feet
2-year	62	2,200	1.3
5-year	133	4,700	2.1
10-year	190	6,710	2.7
25-year	269	9,500	3.4
50-year	332	11,700	4.0
100-year	397	14,000	4.5

Table 1

“Data Series 333 – Streamflow Characteristics of Streams in the Helmand Basin, Afghanistan” gives estimates of the flow-frequency for this gage-site – which were used for the dam location and are shown in Table 1. For the given design flows, depth of flow over the top of the Hesco dam was estimated using the broad-crested weir equation with a length of 600 feet and a weir-coefficient of 2.5. The pool area behind the dam was assumed to be filled by the leading front of the flood hydrograph, so that the peak of the hydrograph would not be attenuated and would pass over the top of the

HYDROLOGY

dam. The depth of flows over the dam are also shown in Table 1.

The depth of flow over the top of dam should be lower enough to prevent inundating any of the surrounding houses or cemetery – though it's close enough – would not recommend raising the dam any higher. This analysis is very preliminary and any permanent dam design should look at this more closely.

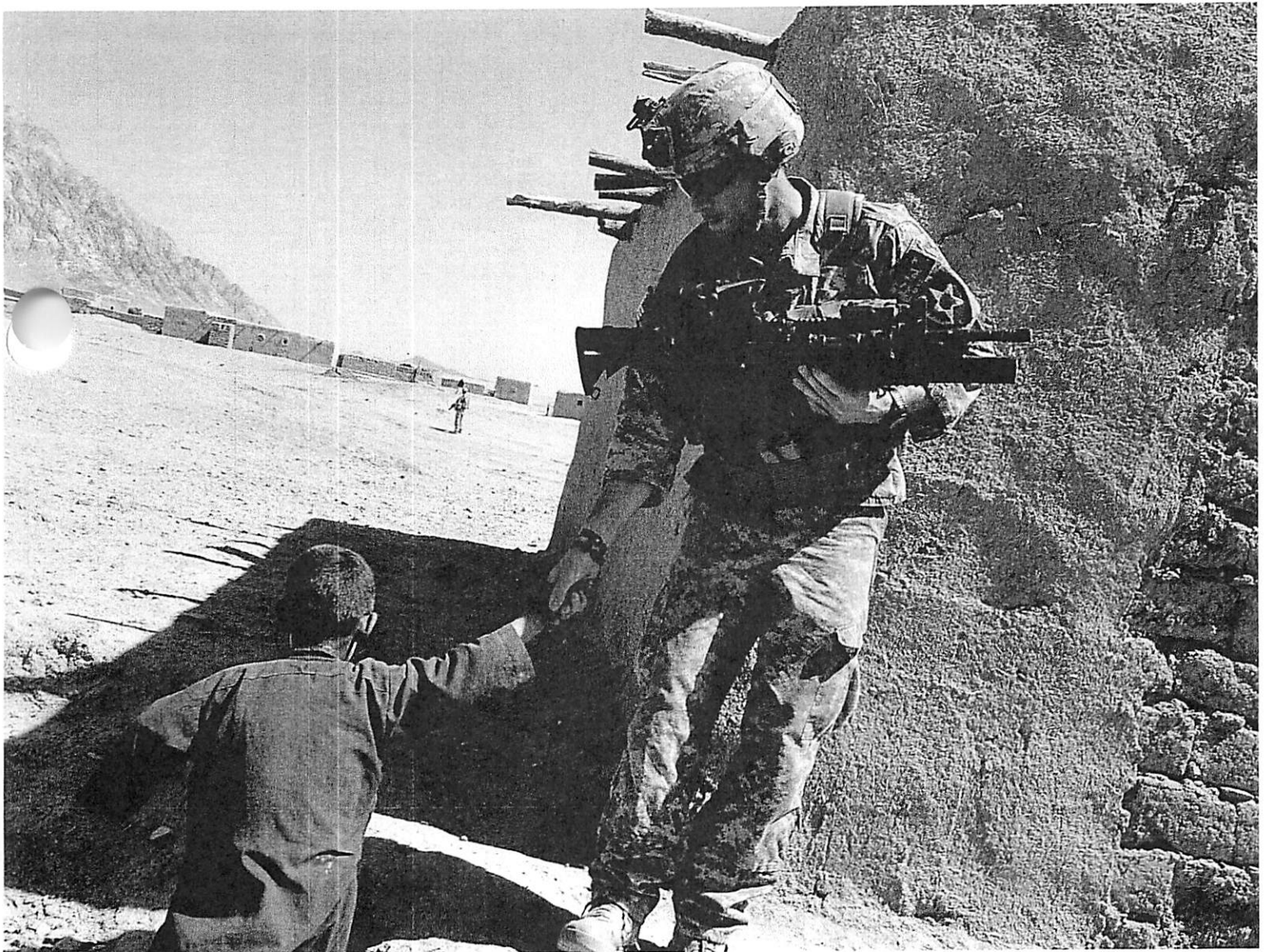
Agricultural Assistance- Combat Outpost Rath had mentioned they had inquired about obtaining some agricultural expertise or assistance. I brought this up to the Agriculture Policy Working Group 1 Apr. and the United States Department of Agriculture Provincial Reconstruction Team Coordinator was going to see if they could assist.

SUMMARY

The goal/intent of the temporary Hesco dam is a valid concept. The dam, though, should be replaced with something a more permanent structure, which due to complicating factors in the area, should be designed through a professional engineering organization, such as United States Army Corps of Engineers Afghanistan Engineer District-South using CERP funding. The design and construction would take approximately six to twelve months. In the interim, there are several steps which can be taken to upgrade or fortify the existing Hesco Dam to make it more efficient and secure.

U.S. Army (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) from
Blackwatch Company,
2nd Battalion greets an
Afghan boy during a
village assessment in a
Kuchi village, Huta,
March 17, 2010. (U.S.
Air Force photo by
(b) (6), (b) (7)(C))

5 APPENDICES



APPENDIX A

Acronyms & Definitions

This section contains all of the abbreviations and acronyms found in the Maiwand Report: The Pride of Afghanistan.

ACRONYM	DEFINITION
ANA	Afghan National Army
ANP	Afghan National Police
ANSF	Afghan National Security Forces
CERP	Commander's Emergency Response Program
CF	Coalition Forces
DAIL	Department of Agriculture, Irrigation, and Livestock
ERDC	Engineer Research and Development Center
GIRoA	Government of the Islamic Republic of Afghanistan
IED	Improvised Explosive Device
JDCC	Joint District Coordination Center

GR&D

Task Force Stryker GR&D Products

Stryker Interim Report: The First Six Months
January 15th, 2010

*GR&D Reflections: The In-Depth Companion to
the Interim Report*
January 22nd, 2010

Shah Wali Kot Report: The Gateway District
February 5th, 2010

Spin Boldak Report: The Ancient Trade Route
April 1st, 2010

Maiwand Report: The Pride of Afghanistan
June 20th, 2010



Task Force Stryker Governance, Reconstruction, & Development

Contact Information:

AKO: (b) (6), (b) (7)(C)

GR&D | Maiwand Report: The Pride of Afghanistan | JUNE 20, 2010



TF BUFFALO

Summary:

WHO: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

WHAT: (b) (6), (b) (7)(C) attends the Shah Wali Kot District Shura.

WHEN: 1130FEB152010

WHERE: Shah Wali Kot District Center (41RQR 80801 42083)

Summary of Events: Prior to the Shura meeting,

(b) (6), (b) (7)(C)

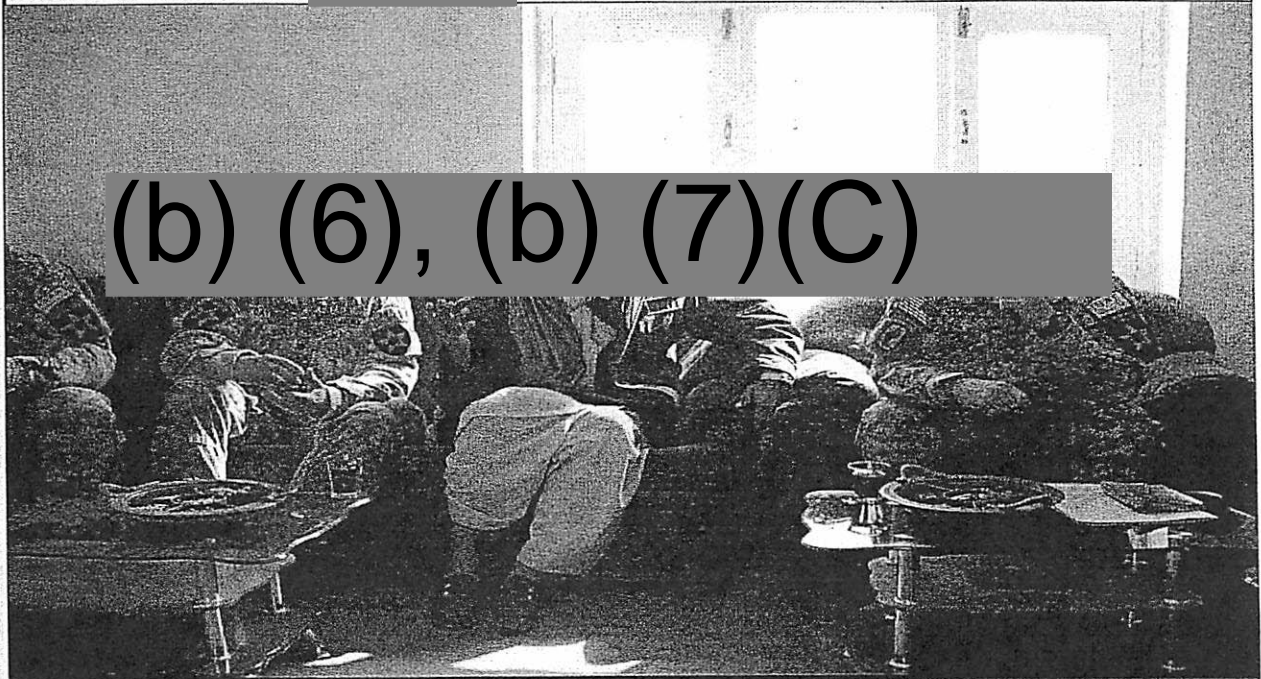
spent a period of time discussing the way ahead for Shah Wali Kot with his ISAF guests. The Shura meeting was held which was then followed by a lunch, hosted by the District Governor.

Assessment: (b) (6), (b) (7)(C) and 5 members from Southern Shah Wali Kot followed through on their promise to attend the weekly Shura. This is an important milestone considering the complete disconnect between Southern Shah Wali Kot and the District Governor. In total, approximately 40 elders were in attendance. The DG and TF Buffalo are starting to gain momentum during this critical period. Now is the time to fully influence the population when Taliban presence in the area is minimal. The word is spreading in Shah Wali Kot about the success and progress in Arghandab. Many of the elders stated that Shah Wali Kot has been ignored for a long time and stated they want the benefits that Arghandab is receiving. The elders fear that we will only make empty promises like those before TF Buffalo. (b) (6), (b) (7)(C) informed the elders that the TF Buffalo Soldiers are responsible for the success in Arghandab, and that TF Buffalo wants to carry the same success to the Shah Wali Kot District. Overall, the Shura meeting was a sure sign of the success to come in Shah Wali Kot District.

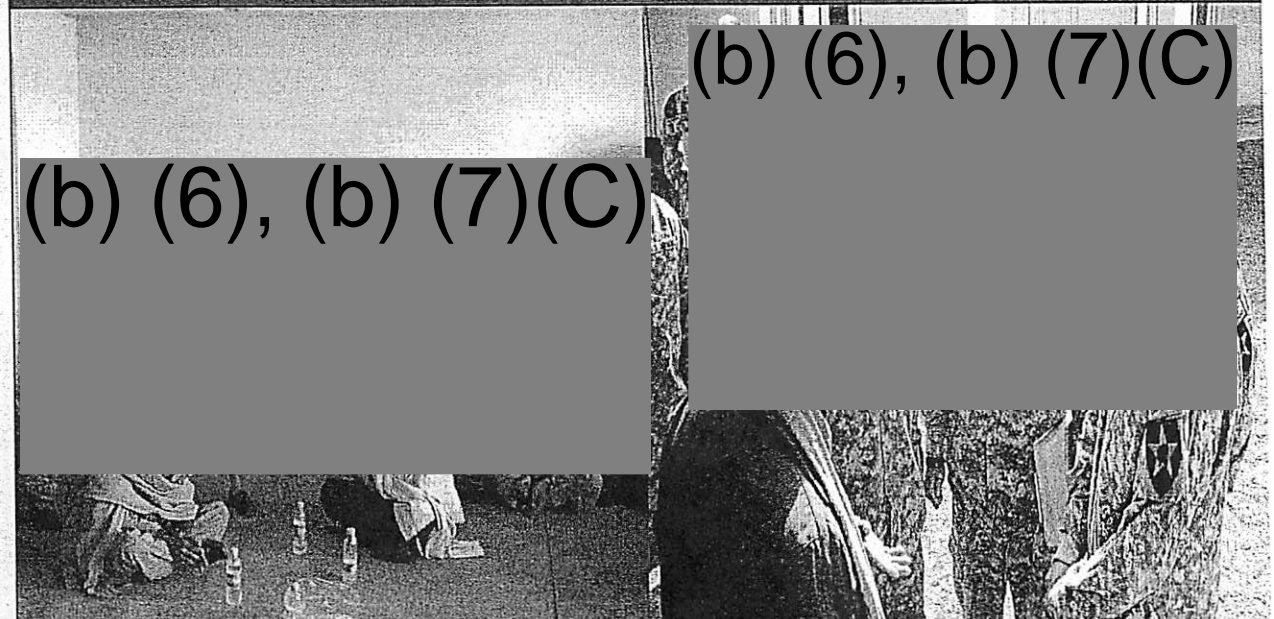
(b) (6), (b) (7)(C) influence in Southern Shah Wali Kot is something to note as well. He is well respected amongst the locals and (b) (6), (b) (7)(C) has established a strong partnership with him as well.

(b) (6), (b) (7)(C)

attends SWK District Shura



The District Governor meets with ISAF guests prior to the Shura Meeting



(b) (6), (b) (7)(C) speaks to Shura members

(b) (6), (b) (7)(C) is introduced to the SWK DG

TF BUFFALO GR&D

Summary:

WHO (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

WHAT: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) invites TF Buffalo elements to recon a potential site for a school in Deh E Bowchi, then to his home to meet his family and have tea

WHEN: 163015FEB2010

WHERE: Deh E Bowchi Village

Summary of Events:

Following a discussion with (b) (6), (b) (7)(C) agreed to bring TF Buffalo elements to point out a site where the village would like a school built on his property in Deh E Bowchi. TF Buffalo TAC w/ Hatch 6 visited the site and were invited to (b) (6), (b) (7)(C) house for a cup of tea. (b) (6), (b) (7)(C) introduced his family and a multitude of topics were discussed throughout the visit, including the canal, local crops, education, and security.

Assessment: Deh E Bowchi village is one of the nicest and cleanest villages that TF Buffalo has visited in Shah Wali Kot. It is quite apparent by the reaction of the villagers that Bacha Kahn is well respected. ISAF was well received by all the village members and fifty plus kids interacted with Soldiers throughout the visit. (b) (6), (b) (7)(C) leadership and high level of security within the village creates a positive atmosphere for potential progress. Many kids are home schooled, using NGO-donated school supplies. The villagers desperately want a school in the village where kids can be educated. It is number one on their priority list. TF Buffalo will nominate a project to build and staff a school, and is looking into a short term solution to provide tents and school supplies to get the school up and running. TF Buffalo is also nominating a project to improve the spillway into the canal system within the village to improve the irrigation system. A paved road connects the village with HWY 617, but has no culvert denial systems. TF Buffalo will nominate this, as well.

Overall, Deh E Bowchi is assessed to be a village where any project will succeed.

(b) (6), (b) (7)(C) shows potential site for school in Deh E Bowchi.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) talk to (b) (6), (b) (7)(C) about potential school site

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) sits with his family and enjoys a cup of tea with guests

Who: (b) (6), (b) (7)(C)

What: New School Opening in Deh-e Bowchi

When: 05 1130L MAR 10

Where: Deh-e Bowchi (41R QR 6517 2137)

Narrative:

04 MAR 10, TF Buffalo's (b) (6), (b) (7)(C) began and completed construction of the new school for the village of Deh-e Bowchi. Southern Shah Wali Kot shura members stated that a school was their number one priority and TF Buffalo purchased a tent and school supplies utilizing CERP money. Local ANP CDR (b) (6), (b) (7)(C) coordinated with provincial education leaders to visit the newly created school. Approximately 100 villagers gathered at the school to meet the Kandahar Province Director of Education and express their desire to have their children educated. The Director of Education stated to the group that he was unaware that there was so much support for a school in the area. He stated that he would immediately have additional tents and school supplies sent to Deh-e Bowchi to increase the capacity of the current school tent. He also stated that he would begin resourcing to build a permanent school in the village. The villagers were very excited and optimistic about the future of their children.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Teacher
Deh-e Bowchi

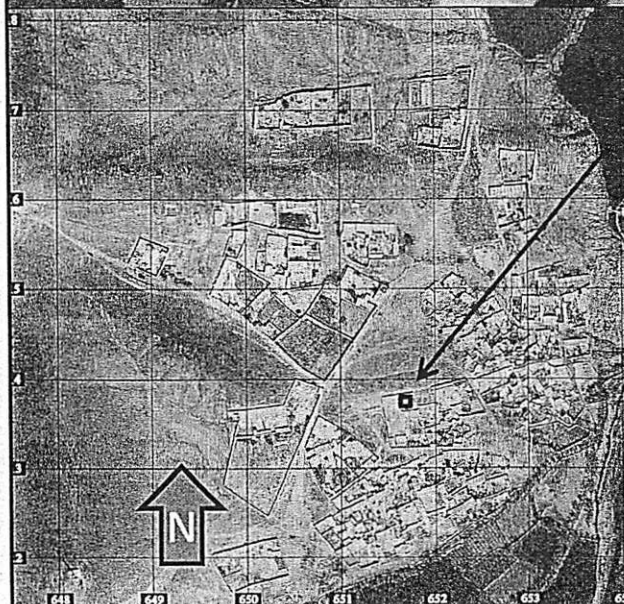
(b) (6), (b) (7)(C)

Director of Education
Kandahar

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



Summary:

WHO: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

WHEN: 191100APR2010

WHERE: Shah Wali Kot District Center (41RQR 80801 42083)

Summary of Events:

1100-1130- ANP Graduation

1130-1300-Shura

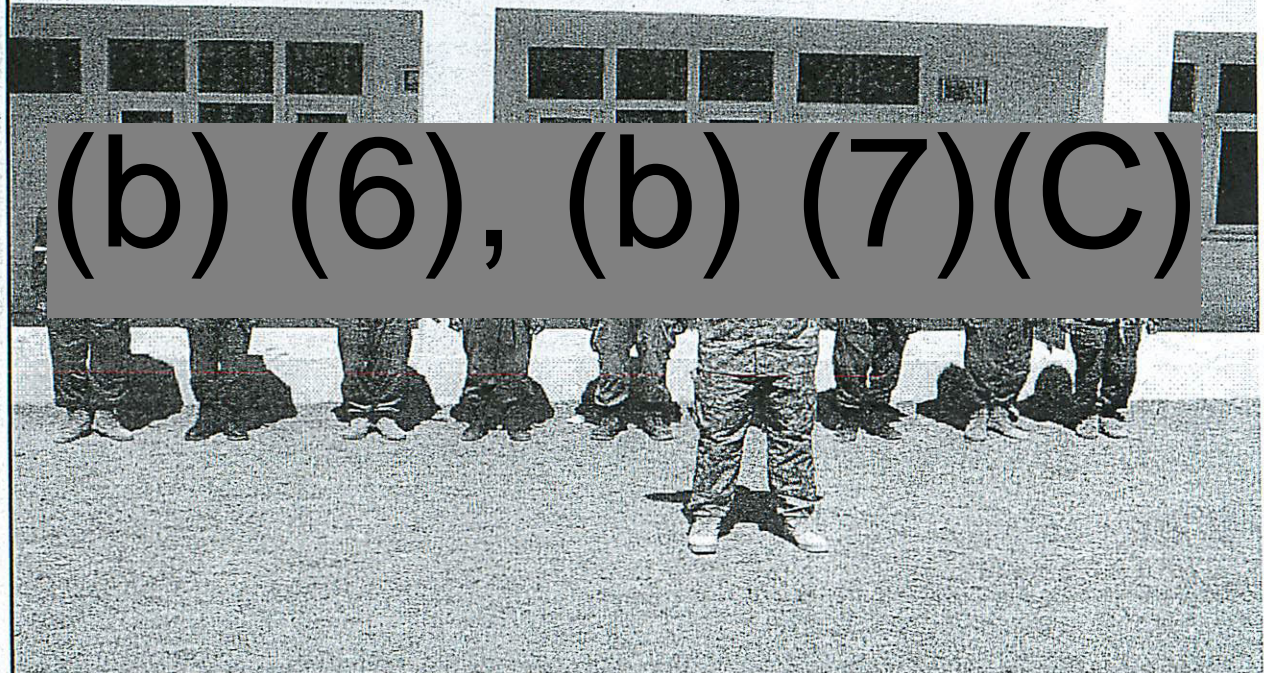
1300-1330-Lunch hosted by District Governor

The SWK Police academy graduated another nine police officers. The course was ten days long and included basic combat skills, search techniques and buddy-team live fires. The graduation was attended by the BN CDR, District Governor, various local police officials and over 40 village elders. The District Governor spoke for 20 minutes during the graduation and then invited select tribal officials to assist in awarding diplomas to the graduates. The graduation ceremony concluded the third successful class of the Academy.

Assessment:

The SWK Academy is having a noticeable impact on the SWK Police. Specifically we've noticed increased proficiency in small unit tactics. The greatest benefits however appear to be increased pride in the police who have graduated from the academy. For the first time there is an emphasis on professionalism and pride. The relative pomp and circumstance of this graduation, to include diplomas being awarded by tribal leaders likely had a significant impact on the police. One policeman had his diploma miniaturized and laminated so he could carry it with his Police ID.

(b) (6), (b) (7)(C)



(b) (6), (b) (7)(C)

holds the formation of the 9 graduates

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



DG speaks at the graduation

(b) (6), (b) (7)(C) congratulates an ANP Officer

TF BUFFALO GR&D

Summary:

WHO: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

WHAT: Weekly Shura Meeting: Focus on Security

WHEN: 1000MAR012010

WHERE: Shah Wali Kot District Center (41RQR 80801 42083)

Summary of Events:

1030: District Shura Meeting Begins

1130: District Governor Hosts Lunch

Assessment: With the recent surge of projects underway throughout Shah Wali Kot District, many of the Shura members are eager and enthusiastic to see the benefits to come. However, there has been little discussion of the importance of security. (b) (6), (b) (7)(C) discussed the important role the Shura Members and the villagers play in security in order for progress to occur. Many of the Shura Members became noticeably uncomfortable when the subject of security and the Taliban was discussed. The District Governor stated his displeasure for the Shura members who requested projects, but who would not play their role in security. For instance, one village was intimidated by only one Taliban member who insisted they not pick up their share of wheat seed. (b) (6), (b) (7)(C) challenged the members to stand up against the Taliban as a village to help rid of the oppression of the Taliban. This was the first Shura Meeting where security was the central theme. Security is the key toward the progress of any project. The government is stepping up and playing their role and it is now time for the people to take responsibility for security in order to achieve progress in the district. TF Buffalo GR&D hopes (b) (6), (b) (7)(C) and the District Governor's call on the people will have a positive effect by uniting villages against the Taliban.

SWK District Shura: (b) (6), (b) (7)(C) Speaks the Importance of Security

(b) (6), (b) (7)(C)



(b) (6), (b) (7)(C) calls on the Shura members to play their part in security in order to achieve progress

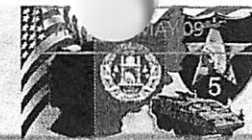
(b) (6), (b) (7)(C)



The District Governor, DDA Leader, and (b) (6), (b) (7)(C) discuss future projects



5/2 ID (SBCT) TOC FUSION CELLS



- XO/ S3 ★
- BDE Eng (Red Tm)
- BDE FSO (Alt Lead)
- A/S3
- TGT OFFICER
- EOD
- Intel
- Bde Surg
- WIT
- S4 rep
- S9
- SJA
- EWO
- ALO
- TF Paladin
- BAO
- S6
- S2
- S2X
- IOCOORD (Red Tm)
- PSYOP
- PRT

Tactical

- Targeting
- IED-Defeat
- Strike Ops
- Saturation Patrolling

- IOCoord ★★
- A/S3
- Tactical Intel Off
- PSYOP
- PAO
- S2X
- S9
- US State Dept Rep
- CAT-B
- Chaplain
- PMO
- HTT
- FSC rep
- Senior 09L
- PRT
- S4
- S1
- Geospatial TECH

Populace & Resources Control

- PSYOPS
- IO

Fusion Cell OIC

- BSTB CDR ★
- IOCoord ★
- BSTB S3
- PAO
- Cmbt Camera
- BSTB S2
- Enterprise Dev Off
- PRT
- S9
- BLAST Chief
- SJA
- Rule of Law Rep
- USAID
- DST Rep
- HTT
- OGA
- AS2
- Chaplain

Governance Reconstruction & Development

- CA
- E Think-Tank

- PMO ★
- S3 STAFF CPT ★
- D/S2
- S2X
- ARSIC-S rep
- TF-K OMLT Rep
- PMT Rep
- 97th MP Rep
- 4-82 BCT Rep
- S4 Rep
- S6 rep
- FSC rep
- PYSOP
- IOCOORD
- PAO
- HTT

Advisory Group

- PMT (ABP, ANP)
- OMLT (ANA)

- Fusion OIC ★★
- IOCoord
- BDE Eng (Tactical Lead)
- S2
- S3
- S9
- USSF
- PAO
- SJA
- OGA (DEA, CIA, FBI)

Intel continuously
fed to all groups

SOF Fusion

- Consequence management

- XO/ S3 ★
- AS Tech ★
- TGTOFFICER
- MICO
- C-IED Off
- S9
- S-2
- AS3
- LEP
- EWO
- HTT
- PRT
- RED TEAM (X2)
- Geospatial TECH

Intel Fusion

BOLD = Permanent Seat

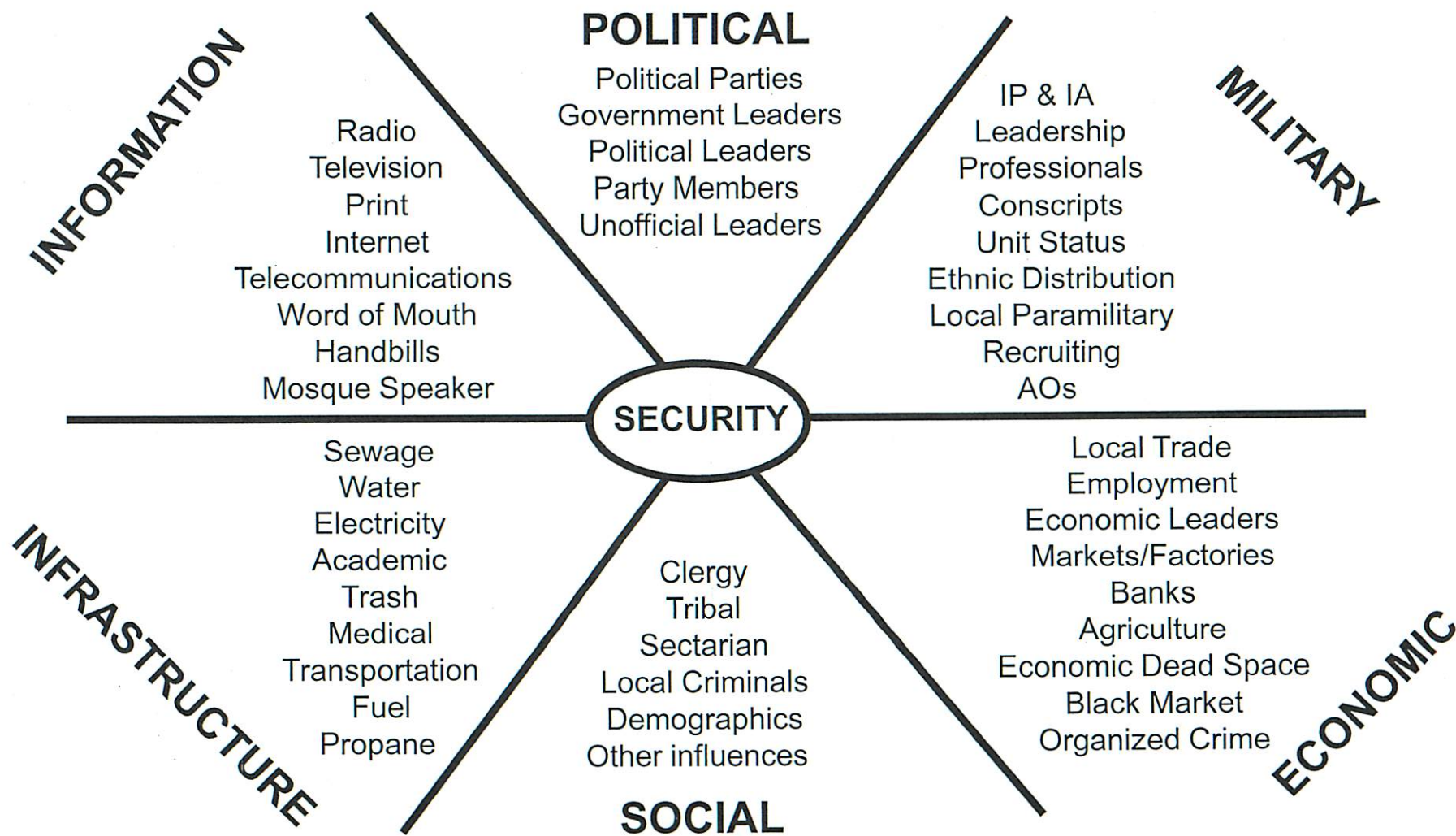
Green = FM 90-8 "Big 6"

Blue = Focus Areas

★ = Chair

☆ = Group Lead

5/2 ID (SBCT) PMESSII Assessment Components



5/2 ID (SBCT) PMESSII-PT & Counterguerrilla Framework Relationship

PMESSII-PT	PMESSII-PT Lead	CG FRAMEWORK ASSOCIATION
Political	BSTB S2	Enable Populace to Sustain Security
Military (ISF)	Advisory Group Staff CPT	Deny Enemy FOM / Enable Populace to Sustain Security
Economy	BSTB Enterprise Officer	Separate Enemy from Population
Social	Chaplain	Separate Enemy from Population
Security (includes US Tactical Operations)	S2	ID the Enemy / Defeat the Enemy
Information	IO CORD	ID Enemy
Infrastructure	CA	Enable Populace to Sustain Security
Physical Environment	S2	All
Time	S3	All

33

ArmyTimes

Para 3i(4)

http://www.armytimes.com/news/2009/12/army_afghanistan_mixed_signals_122109w/

Stryker soldiers say commanders failed them

By Sean D. Naylor - Staff writer

Posted : Saturday Jan 2, 2010 11:19:00 EST

ARGHANDAB RIVER VALLEY, Afghanistan — The view west from the roof of the Arghandab district center at sunset in mid-autumn is breathtaking, the remaining leaves turning the valley into a sea of green and gold.

But the beauty deceives.

Beneath the branches, the Arghandab's signature pomegranates lie in rotting piles and the orchards are strewn with booby traps ready to sever a limb or take a life. Gunfire and explosions echo from end to end of the valley's lush "green zone." Once known as the breadbasket of Afghanistan, the Arghandab has become a killing field.



[See More Video From Military Times](#)

Battle has been joined in the valley because of its proximity to Kandahar city, a rich prize two miles to the east across a razor-backed ridgeline. Until this summer, insurgent control of the valley was unchallenged. Then 1st Battalion, 17th Infantry Regiment, 5th Stryker Brigade, 2nd Infantry Division, moved in, and the fight was on.

The 1-17's soldiers said their train-up was also marked by an absence of good intelligence on what they would be facing in the Arghandab. In their zeal to give their men some insight into their future area of operations, noncommissioned officers such as (b) (6), (b) (7)(C) 1st Squad leader in Charlie Company's 1st Platoon, resorted to printing out information on the Arghandab region from the Long War Journal, a respected non-Defense Department Web site, and posting it on bulletin boards.

"We made our own little S-2 because we weren't getting anything from the S-2 [intelligence directorate]," (b) (6), (b) (7)(C) said.

Nasty surprises

When 1-17 got to the Arghandab, the insurgents were lying in wait in the green zone, armed with homemade bombs similar to those that have killed thousands of U.S. troops in Iraq and Afghanistan. This came as a shock to 1-17 commander (b) (6), (b) (7)(C) who hadn't anticipated being drawn into a fight in such constrictive terrain, where the troops learned quickly that they needed to dismount from their Strykers and patrol on foot.

"What we didn't understand is really where the enemy was making his push against Kandahar city," he said. "We did expect more of an open desert fight."

The IEDs also came as a huge surprise to (b) (6), (b) (7)(C) and most of his soldiers, who said they'd been told to expect that the major threat would come from direct fire. This, despite the fact that during the first six months of 2009, as the brigade was training up, more than twice as many U.S. soldiers in Afghanistan died from IED strikes than were killed in gunfights.

As the casualties from IEDs began to rise, so did the troops' anger with what they viewed as their leaders' failure to prepare them for the threat.

"The extent of the IED threat was a surprise to us all," (b) (6), (b) (7)(C) said. "The enemy we faced in the Arghandab adapted to our TTPs [tactics, techniques and procedures] faster and more effectively than anyone expected."

RC-South spokesman (b) (6), (b) (7)(C) said that 1-17 had conducted "extensive leader training" and "comprehensive" lane training on IEDs before deployment. Once the extent of the threat became clear after arriving in Afghanistan, the brigade pursued innovative training and "intelligence employment" to counter it, he said.

As a result, the brigade has not lost a soldier in more than a month, while the percentage of IEDs that are found and cleared rather than struck has improved from 41 percent in August to 63 percent so far in December, he said.

Failing on the big picture

In command briefings and interviews, 5/2 Stryker Brigade leaders are keen to give the impression that the unit has fully embraced the tenets of counterinsurgency doctrine. There is much discussion of the governance, reconstruction and development fusion cell headed by (b) (6), (b) (7)(C) the brigade special troops battalion commander.

"We think that mission is so important that we devoted his battalion staff to be the fusion cell leads," Tunnell said. "He and his kids have done a superb job," leading to the creation of a database of village elders, government leaders and similar figures, he said.

But lower down the rank structure, 1-17 soldiers said that a major factor behind the battalion's difficulties in the Arghandab was the failure of their battalion and brigade commanders to adhere to McChrystal's published counterinsurgency guidance, which states

up front: "Protecting the people is the mission. The conflict will not be won by destroying the enemy."

Soldiers in 1-17 say that while the battalion's junior leaders have embraced these principles, (b) (6), (b) (7)(C) and Tunnell — whose brigade's motto is "Strike — Destroy" — have not. "There's definitely a disconnect between the platoon and company level and the battalion and brigade level," said a Charlie Company soldier in a leadership position, who requested he remain anonymous.

"McChrystal's guidance is very clear on its population focus," said another junior leader.

But 1-17 soldiers thought that focus was missing from their operations. "When we first started operations, we were told we were going to stay enemy-focused," said (b) (6), (b) (7)(C) an assistant fire support officer who is also 1-17's civil-military and information operations officer co-located with Charlie Company. "That came from brigade."

"That has absolutely been the message that's been delivered from higher," agreed (b) (6), (b) (7)(C) the Charlie Company fire support officer.

When the brigade deployed to Afghanistan, Tunnell announced his intention to pursue a "counter-guerrilla" campaign. Most observers perceived a conflict between Tunnell's approach and McChrystal's population-centric counterinsurgency campaign.

But Tunnell said that his approach was drawn straight from Army Field Manual 90-8, Counterinsurgency Operations (last updated in 1986), and that it was complementary to, not competitive with counterinsurgency. However, he added, the "counter-guerrilla" concept "is misunderstood. ... That's why we don't use the term anymore."

(b) (6), (b) (7)(C) spokeswoman for the Maneuver Center of Excellence at Fort Benning, Ga., said FM 90-8 had been superseded by FM 3-24.2, Tactics in Counterinsurgency. "It's not supposed to be used anymore," she said of the counter-guerrilla manual.

Tunnell, who was badly wounded as a battalion commander in Iraq in 2003, was adamant that the situation in the Arghandab lent itself to the counter-guerrilla approach.

"Here in the green zone ... they're hard-core guerrillas," Tunnell said. "They form and they operate in teams and squads, and they mass into platoons very quickly. So I think you can't ignore that. We haven't seen any \$10-a-day Taliban here."

He outlined how he intended his approach to work. "[W]hen it comes to the enemy, you have leadership, supply chains and formations. And you've really got to tackle all three of those," Tunnell said. "I was wounded as a battalion commander and they had a perfectly capable battalion commander in to replace me very quickly; our supply lines were interdicted with ambushes and they never stopped us from getting any resources, but when you degrade a formation substantially, that will stop operations. And then if you degrade formations, supply chains and leadership near simultaneously, you'll cause the enemy in the area to collapse, and that is what we're trying to do here."

Asked if this was an enemy-centric approach, Tunnell replied: "The enemy informs how you gain access to the population. You cannot ignore it. We were taking horrible casualties trying to gain access to the population, and we knew that we needed to get to the population, and so if we didn't conduct the types of operations that we're conducting throughout the brigade's area ... we wouldn't be able to get to the population. So you can't separate the two."

Tunnell's counter-guerrilla vision has driven his brigade's missions, particularly in 1-17's area of operations. "We definitely haven't been COIN-focused in the Arghandab, we've been counter-guerrilla focused," (b) (6), (b) (7)(C)

The perceived disconnect between Tunnell's approach and McChrystal's guidance has led to intense frustration in Charlie Company. One young soldier said all the squad leaders in his platoon "have done COIN fights before, and they're pissed that we're not doing COIN properly."

Clearing operations

What has particularly angered soldiers here is the series of brigade-level clearing operations through the Arghandab ordered by Tunnell to cement his troops' hold over the Arghandab and particularly the green zone, where the bulk of the population live, according to Tunnell.

"That's one of the challenges of a population-centric strategy: you have to go to where the population is," he said.

One operation, Opportunity Hold, at the end of August, "was a unique opportunity to mass resources and go right to the hold" phase of counterinsurgency doctrine's "clear, hold and build" model, Tunnell said. "So we did that and seized initial key terrain, mainly on the periphery."

Sustain Hold was aimed at getting 1-17 deeper into the green zone and establishing platoon-level patrol bases, he said.

The most recent operation, Focus Hold, which began in late November, focused on the green zone's southeastern section. "It's really one of the final approaches to Kandahar city," Tunnell said, adding that Focus Hold's operational goal was "to dislocate the enemy so they don't want to continue operations."

But while the logic behind the operations is clear to Tunnell, it is less so at the company level.

"We have done absolutely nothing as a company to improve the quality of life for the average Afghan living in the central Arghandab Valley," (b) (6), (b) (7)(C) said. "What we're doing is not working, and we need to go on a different tack." Asked what that tack should be, (b) (6), (b) (7)(C) replied: "Basic counter-insurgency — give them a better option than Islamic extremism."

That is the prevalent view in Charlie Company.

"The 'clear, hold, build' thing that we're supposed to be doing ... we're not doing that," (b) (6), (b) (7)(C) said. "If any commander in this brigade goes to sleep at night thinking after we've walked through that orchard over there that it's clear, he's a f----- idiot."

(b) (6), (b) (7)(C) added a comment that could have been taken straight from McChrystal's guidance: "The non-kinetic side of the house is what wins counterinsurgency, not attrition."

Frustration has bred a cynical humor at the Joint District Coordination Center where Charlie Company has made its home. A quote posted on the wall of the company's command post and attributed to (b) (6), (b) (7)(C) reads: "Apparently COIN stands for Clearing Operations in November." (b) (6), (b) (7)(C) declined to be interviewed for this story.

Trying to do both

Among the young leaders who chafed against the "counter-guerrilla" approach was then-(b) (6), (b) (7)(C) described by a subordinates as "a really smart, really knowledgeable guy" who "was the company commander that everybody in the battalion wanted to work for."

"He made no dice about the fact that he was openly trying to conduct a more counterinsurgency fight," (b) (6), (b) (7)(C) said, adding that (b) (6), (b) (7)(C) was trying to nest population-focused missions inside the enemy-focused operations imposed by (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C).

"We were working to bring some security to the region, and that meant that we went to the areas where the enemy was," (b) (6), (b) (7)(C) said in an e-mail. "We still did all we could to effectively engage the population before, during and after all of our operations."

But soldiers who worked closely with (b) (6), (b) (7)(C) said he harbored deep misgivings about the enemy-centric focus of the missions he was ordered to conduct. Those doubts, along with his determination to do what he thought was right, brought him into conflict with his battalion and brigade commanders, his soldiers said.

In one instance, the point of friction was a quote from McChrystal's counterinsurgency guidance posted on the wall of (b) (6), (b) (7)(C) command post. It read: "Sporadically moving into an area for a few hours or even a few days solely to search for the enemy and then leave does little good, and may do much harm. The local insurgents hide in plain sight and the people remain ambivalent. Once we depart, the militants re-emerge and life under insurgent control resumes."

In the context of Charlie Company's experience, the McChrystal quote seemed right on point. But when (b) (6), (b) (7)(C) saw the quote during a visit to the JDCC, he told the battalion operations officer to direct (b) (6), (b) (7)(C) to take it down.

"I had them take it down to not get ahead of ourselves," (b) (6), (b) (7)(C) said in an e-mail to Army Times.

"The quote was deliberately put up to make a point, probably one I was out of my lane to make," said (b) (6), (b) (7)(C). "I knew that the quote would be a point of contention when I put it up."

(b) (6), (b) (7)(C) said the incident was "not even a big deal at all," but to his soldiers, the fact that their battalion commander was ordering the removal of a quote from McChrystal emphasizing the population-centric approach to counterinsurgency summed up the apparent disconnect between the company-grade leadership and their higher chain of command.

'Backbone' of Charlie Company

In early November, Tunnell visited the JDCC. According to soldiers who were there, he asked Kassulke if he had any concerns about the upcoming Focus Hold operation. According to (b) (6), (b) (7)(C), expressed reservations about the idea of undertaking another brigade-level offensive operation."

A few days later, Tunnell announced that he would be replacing (b) (6), (b) (7)(C) early as (b) (6), (b) (7)(C).

The replacement was not a formal relief (b) (6), (b) (7)(C) and the incoming commander, (b) (6), (b) (7)(C) conducted a regular change-of-command ceremony Nov. 24 at 1-17's headquarters at Forward Operating Base Frontenac, 364 days after (b) (6), (b) (7)(C) took command. A standard company command lasts two years. But Tunnell's removal of the popular and charismatic (b) (6), (b) (7)(C) stunned Charlie Company.

"His guys absolutely loved and respected him," (b) (6), (b) (7)(C) said. "He just exemplified everything a leader should be and for him to be removed, it just never made sense to me, and kind of made me question leadership in general and how the Army perceives leadership."

"The glue that was holding the company together was (b) (6), (b) (7)(C)" said (b) (6), (b) (7)(C) a machine gunner in 4th Platoon's second squad, who was not alone in describing (b) (6), (b) (7)(C) as "the backbone" of Charlie Company.

None of the Charlie Company soldiers interviewed said (b) (6), (b) (7)(C) was at fault for the heavy casualties his unit had suffered.

"I certainly don't think the company-level leadership could have done anything differently" that would have prevented the casualties, (b) (6), (b) (7)(C) said.

(b) (6), (b) (7)(C) said if it had been up to him, he would not have replaced (b) (6), (b) (7)(C) but the decision was (b) (6), (b) (7)(C). "His main point to me was [that he was] worried both about the company and about the man," (b) (6), (b) (7)(C) said. "Either one can hit a breaking point."

But (b) (6), (b) (7)(C) troops didn't see any strain affecting him. "I saw him every day," said (b) (6), (b) (7)(C) also of 4th Platoon's second squad. "He never once lost focus. He was on top of his game."

Tunnell said that the casualties suffered by Charlie Company influenced his decision to replace (b) (6), (b) (7)(C) "a month or two" earlier than planned. "It was going to happen in the December/January time frame anyway," he said.

But the soldiers were unanimous in their view that Tunnell was making (b) (6), (b) (7)(C) a scapegoat for the battalion's high casualty rate. "He (b) (6), (b) (7)(C) didn't do anything wrong, but he was thrown under the bus," said one leader in Charlie Company. "He's the last guy that should've lost his job."

Some in Charlie Company thought Tunnell's replacement of (b) (6), (b) (7)(C) so soon after the captain had told the colonel of his concerns over Focus Hold was no coincidence.

"It's probably bad juju for an O-3 to tell an O-6, 'Hey, you're not doing what the four-star wants you to do,'" said a soldier.

But Tunnell denied this through (b) (6), (b) (7)(C) who said Tunnell had visited and spoken with (b) (6), (b) (7)(C) at the JDCC prior to Focus Hold as part of a routine process of gathering "input" from subordinate leaders prior to a major operation. "[I]t did not have any bearing on his assignment within the brigade," (b) (6), (b) (7)(C) said.

(b) (6), (b) (7)(C) who was moved to a brigade staff position in Zabul province, likewise played down the conversation's significance. "As far as I am concerned, this was a normal conversation about operations, and ... he was genuinely interested in hearing my opinions as one of the company commanders who would be participating," he said.

Army Times asked Tunnell via e-mail to respond to Charlie Company soldiers' comments about his removal of (b) (6), (b) (7)(C). In response, (b) (6), (b) (7)(C) e-mailed that "other than change of command ceremonies ... details about the assignment of officers [are] not released."

(b) (6), (b) (7)(C) declined to detail the conversations he had with Tunnell regarding the switch. "The change of command was a surprise to me, but the brigade commander had a plan and this was part of it," (b) (6), (b) (7)(C) said.

The impact on the company of (b) (6), (b) (7)(C) reassignment was exacerbated by Tunnell's decision to pull the unit back to Frontenac for two weeks, coinciding with the memorial ceremony for two of the company's soldiers killed in a Nov. 5 IED strike and the change of command. The move to Frontenac kept the company out of the fight "when we needed to get back on the horse," (b) (6), (b) (7)(C) said.

Change of mission

But the final blow to the company's morale was still to come: the new RC-South commander British Maj. Gen. Nick Carter chose to pull Charlie Company and the rest of 1-17 out of the Arghandab permanently and replace them with elements of the 82nd Airborne Division's 4th Brigade.

Carter had a new mission for Tunnell's brigade: ensuring freedom of movement along the major highways in his area of operations. The mission was a vital one for which the Strykers were uniquely suited, the British general said in an interview with Army Times.

Restoring security to Afghanistan's major highways is a necessary and important step in boosting southern Afghanistan's economy and restoring governance to the region, Carter said.

After analyzing the forces at his disposal, Carter concluded that the Stryker brigade was the best fit for the freedom-of-movement mission, in part because of its high-tech command-and-control gear. "In terms of an organization that can bring freedom of movement as an effect to me, there is no better capability than the Stryker brigade."

Soldiers in both Bravo and Charlie companies said the order to pull out felt like "a defeat." For Charlie Company, with the heavy toll it has taken, the move is particularly painful. Soldiers feel they are leaving the Arghandab without being given the chance to achieve success in the mission for which their comrades died. "I've lost 14 friends since I've gotten out here," said (b) (6), (b) (7)(C). "Now what have they died for?"

Several junior leaders in the battalion said the change of mission was a reflection of their chain of command's failure to embrace population-centric counterinsurgency.

"I know exactly what my soldiers feel," (b) (6), (b) (7)(C) said. "This is hallowed ground to them. ... They want to do good things here. They were fully committed and mentally and physically prepared to fight for the rest of the year to make our guys not die in vain." (b) (6), (b) (7)(C) said that at every battalion formation, 1-17 soldiers had to recite the Army's Warrior Ethos, which includes the line, "I will never accept defeat."

"Us leaving here, I'm pretty sure that qualifies as a defeat," he said.

Carter disagreed, saying the 1-17 soldiers "created the conditions to hand over the Arghandab in much better condition than it was two months ago, to another unit, thus releasing [the 1-17] to go on to what is a much higher priority task, and a task which is much better suited for [the 1-17's] capability.

"They've been pulled out because they are the right capability to go on to what is the most important task in my judgment in Regional Command-South at the moment," he said.

Carter dismissed the fears of some Stryker brigade soldiers that they would be little more than "traffic cops."

"[T]his task is not simply a task of driving up and down a strip of highway," Carter said. "In order to secure freedom of movement you have to secure the ground — a tactical bound — to the left and to the right of the highway, and in some places that could be as much as three or four kilometers; in others, it'll be right up adjacent to it.

"Therefore, this organization has probably got the largest area of operations in the whole of Afghanistan, and that is quite a commitment to give it. ... And on that basis, my sense is that [the 1-17] has got the opportunity during the course of the last seven or eight months of its deployment here to make a significant impact upon the campaign."

(b) (6), (b) (7)(C) said it was important for his soldiers to retain a professional outlook. "The challenge for us is to be emotional about our losses, not emotional about our mission," (b) (6), (b) (7)(C) said. (b) (6), (b) (7)(C) echoed his boss. "We follow orders," he said.

Most soldiers seemed determined to put aside their disappointment to focus on their new task."

"We're going to do the best job we can no matter what mission we're given," (b) (6), (b) (7)(C) said. "We don't quit."

The vicious struggle in and around the Arghandab since the battalion's arrival has killed 21 1-17 soldiers and more than 50 insurgents, led to a popular company commander's controversial replacement and raised questions about the best role for Stryker units in Afghanistan.

It has also caused the soldiers at the tip of the spear that the United States hurled into the Arghandab to accuse their battalion and brigade commanders of not following the guidance of senior coalition commander Gen. Stanley McChrystal to adopt a "population-centric" counterinsurgency approach. And now, reeling from the deaths of their comrades and the removal of their company commander, the troops have been ordered out of the Arghandab, a move they say feels like a defeat.

It was July when 1-17 deployed to Afghanistan, and August when the battalion moved into the Arghandab. Within 48 hours, they were in combat with some of the 200 to 300 insurgents in the "green zone" — a 14-mile-by-four-mile patchwork of small fields, orchards and vineyards. The dense foliage and high mud walls offered insurgents ample hiding places for the booby traps the military refers to as improvised explosive devices.

The first 1-17 soldier to die was (b) (6), (b) (7)(C) killed Aug. 18 by an IED. The casualties mounted steeply thereafter, climaxing Oct. 27 when seven soldiers and an interpreter died when their Stryker was destroyed by the force of an estimated 1,500 pounds of homemade explosive buried in the banks of the Arghandab River. By early December, the battalion had lost 21 men.

In late November, brigade commander Col. Harry Tunnell decided a change had to be made. He replaced (b) (6), (b) (7)(C) which had taken 12 of the casualties.

But (b) (6), (b) (7)(C) former soldiers say that not only was he not to blame for the casualties, the 1-17's problems started much, much earlier.

Mismatched training

The battalion had spent much of the previous two years training for combat, but preparing for the wrong theater — until February, when it got orders for Afghanistan, 1-17 was scheduled to deploy to Iraq.

However, 1-17 soldiers said their training, which had been focused on highly "kinetic" urban warfare drills such as room clearing, did not change much to accommodate the change in mission. "The COIN-intensive fight here ... isn't so much what we trained on," said (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) fire support officer.

"We trained [in] urban fighting in Iraq and then they give us Afghanistan," said (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) Weapons Squad leader in 1st Platoon, Charlie Company. "The principles are the same but the details are day-and-night different, and we've learned that the hard way over the last almost five months."

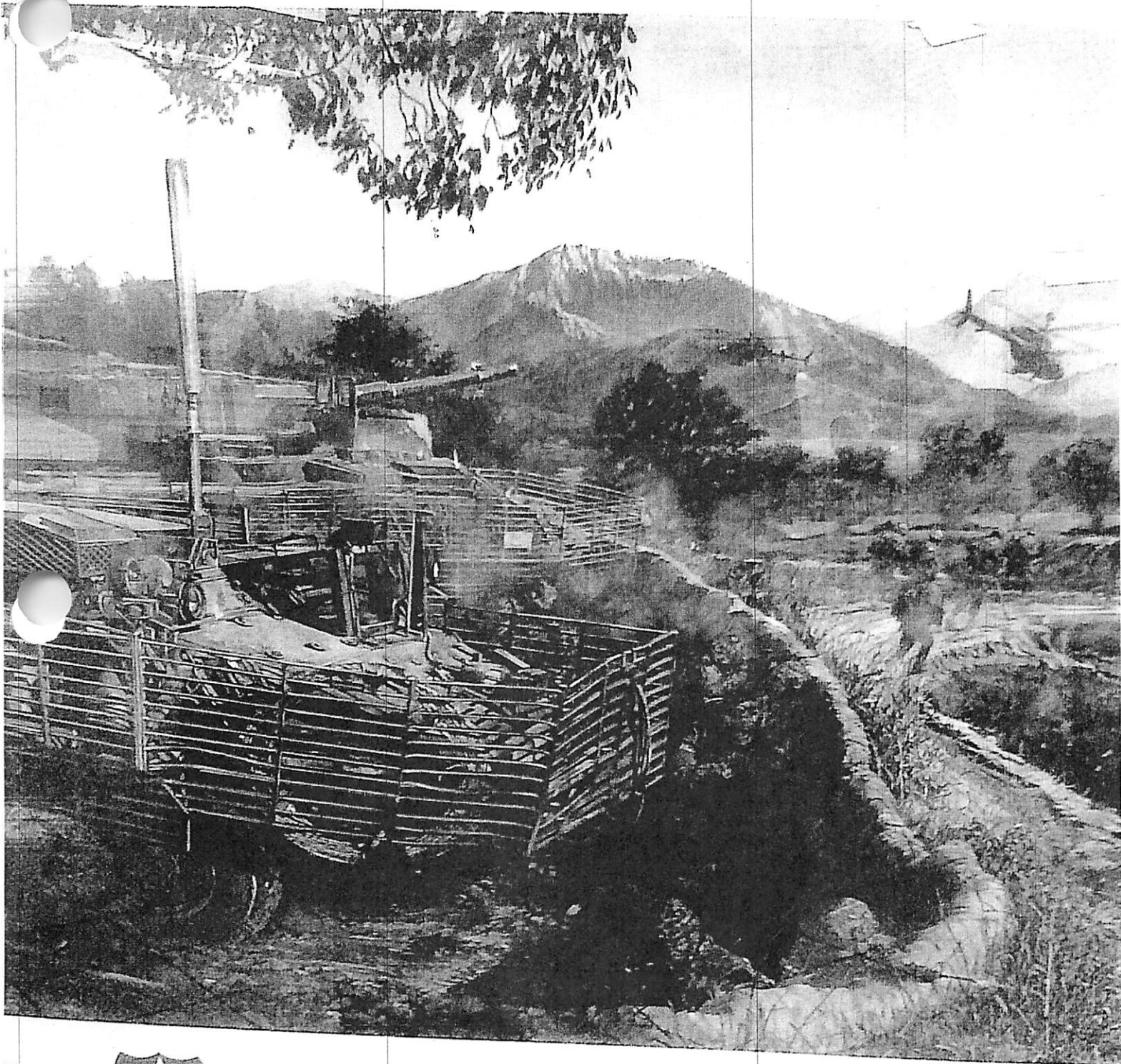
In response to e-mailed questions from Army Times to Tunnell, (b) (6), (b) (7)(C) a spokesman for Regional Command-South, said the Stryker brigade "showed a great understanding of what it would take to operate in a COIN environment by the training they conducted before arrival in Afghanistan."

(b) (6), (b) (7)(C) also defended the pre-deployment training in e-mailed answers to Army Times' questions, saying it was "as realistic" as could be achieved. "[I]t is hard to say that the training didn't prepare us," he said. "We have done a lot of kinetic, enemy-focused missions and the soldiers were definitely trained to do that."

34

para 3 i(5)





INTO THE ORCHARDS

Subject of Task Force Striker attack into the Southern Argentinian border, requiring operations that would eventually destroy the FARC's forces in the valley and bring security to the pop. at large.

by
Tom DeLoach



35

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

36

(b) (3) (B)

(b) (3) (B)

(b) (3) (B)

37



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT BLISS
1733 PLEASANTON RD
FORT BLISS, TEXAS 79916

REPLY TO
ATTENTION OF:

AFBL-DCG

10 December 2010

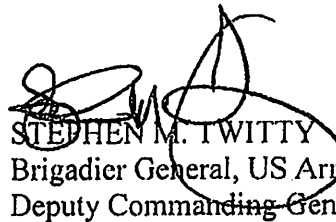
MEMORANDUM FOR RECORD

SUBJECT: Storyboard Procedures of 5-2 SBCT

1. During the course of the investigation, I investigated numerous brigade and battalion Majors, Battle Captains, and Operations NCOs.

2. All agreed that 5-2 SBCT did not have an established brigade standard for the development and approval of storyboards.

3. The point of contact for this memorandum is the undersigned at (b) (6), (b) (7)(C) or via email (b) (6), (b) (7)(C)


STEPHEN M. TWITTY
Brigadier General, US Army
Deputy Commanding General

38

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION FT. Benning GA	2. DATE (YYYYMMDD) 2010/11/14	3. TIME 1030	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS O-3/CPT	
8. ORGANIZATION OR ADDRESS MCCC HHC 199th IN BDE FT Benning GA			
9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: I served as the A Troop 8-1 CAV Executive Officer for around 26 months. In Afghanistan, I served as the Executive Officer from July 2009 to February 2010. While serving as the Executive Officer, 3rd Platoon B Company, 2-1 IN was attached to our Troop. I had no idea or suspicion of any illegal activity in 3rd Platoon B Company, 2-1 IN. My reaction to the allegations against members of 3rd Platoon were surprise and astonishment. After hearing the allegations, I figured a clique had formed within the platoon that had negative influence on the members and possibly influenced them towards illegal activity. I never heard or saw anything within the platoon to make me consider the possibility that the platoon was involved in illegal activity. I only heard a few jokes about the amount of marijuana fields in the area we were operating in, but nothing that caused me to worry. I never identified any unhealthy cliques within the platoon. (b) (6), (b) (7)(C) usually hung out with (b) (6), (b) (7)(C) but I figured it was because they were both squad leaders. I usually saw (b) (6), (b) (7)(C) with the other team leaders of the platoon, and I thought this was normal because he was one of the more senior team leaders in the platoon. I cannot remember the exact date, but in January of 2010, I was in charge of a patrol to Lal Mohammed Kalay. Intelligence had highlighted Lal Mohammed Kalay as a staging point for insurgents to conduct their IED attacks against Coalition Forces. The mission was to confirm or deny enemy influence in the village in order to plan future reconnaissance patrols to the village. I was in control of 1st Platoon 8-1 CAV, 3rd Platoon 2-1 IN, and a mortar section from A Troop 8-1 CAV. The reconnaissance platoon and the mortar section set up in an overwatch position around the village as I dismounted with 3rd Platoon 2-1 IN. The town was very deserted, but I found one village elder that was willing to discuss the situation around the town. 3rd Platoon 2-1 IN set up security around the elder's compound as the 3rd Platoon Leader, (b) (6), (b) (7)(C) and a small security element stayed within the compound to talk to the elder. After talking for a while, I heard an explosion, and then a burst of gunfire. Along with the Platoon Leader, I maneuvered the security element towards the area where I heard the explosion and asked what had happened. (b) (6), (b) (7)(C) reported to me that a local national had approached the security element and thrown a grenade, so (b) (6), (b) (7)(C) and his SAW gunner engaged the threat. I saw the body about 75 meters away, and he was laying on the ground and not moving. (b) (6), (b) (7)(C) and I immediately started securing the area. He took one squad to clear some dead space to the left flank, as another squad moved to secure the right flank and secure the farmers that were in the field off to our right. I had (b) (6), (b) (7)(C) and a security element in the middle, and we started to clear the objective. I saw the crater where the grenade had exploded. <i>Para 3 (4) / Para 3 (5)</i> As some of the soldiers were about to move over the body of the local that had thrown the grenade, I mentioned to (b) (6), (b) (7)(C) "Make sure he is dead before you start searching him." I said this because in a previous engagement in the Arghandab River Valley, one of my crew members and myself had come across a body on the objective that we thought was dead. I told him, "Make sure he's dead." He poked the body and realized that the individual was not dead. We ended up securing that particular individual and evacuating him to the Kandahar Hospital. <i>Para 303</i> After I told (b) (6), (b) (7)(C) to "Make sure he is dead before you search him," I heard (b) (6), (b) (7)(C) fire a shot. I assumed (b) (6), (b) (7)(C) saw a threat from the body. The body was still about 50 meters away. After securing the area, we took the body back to FOB Ramrod. I helped construct the story board that we submitted to Battalion <i>11- Nothing Follows</i> <i>*</i>			
10. EXHIBIT	11. INITIAL (b) (6), (b) (7)(C)	STATEMENT	
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT"		PAGE 1 OF 2 PAGES	
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.			

(b) (6), (b) (7)(C)

STATEMENT OF

TAKEN AT FT Belvoir, GA DATED 14 Nov 2010

9. STATEMENT (Continued)

Nothing
Follows

(b) (6), (b) (7)(C)

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREE (b) (6), (b) (7)(C) THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INF

(b) (6), (b) (7)(C)

administer oaths, this 15th day of November, 2010
at Ed R GA

(b) (6), (b) (7)(C)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON (b) (6), (b) (7)(C)

PAGE 2 OF 2 PAGES

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form see AR 190-30; the proponent agency is CDCSOPS

DATA REQUIRED BY THE PRIVACY ACT

ACTIVITY: Title 10, United States Code, Section 3012(g)
ALPURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION	2. DATE	3. TIME	4. FILE NO
	9 NOV 10	1102	
5. (b) (6), (b) (7)(C)	8. (b) (6), (b) (7)(C)		
6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS (b) (6), (b) (7)(C)		

PART I - RIGHTS WAIVER/ NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army

AR 15-6 investigation
and wanted to question me about the following offense(s) of which I am

suspected as being

Art 92 development

Referring to the questions about the offense(s), however, he/she made it clear to me that I have the following rights:

I do not have to answer any question or say anything.

Anything I say or do can be used as evidence against me in a criminal trial.

I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

I am now willing to discuss the offense(s) under investigation with or without a lawyer present. I have a right to stop answering questions at any time or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (if available)

1a. NAME (Type or Print)

b. ORGANIZATION OR ADDRESS AND PHONE

2a. NAME (Type or Print)

b. ORGANIZATION OR ADDRESS AND PHONE

Section C. Non-waiver

1. I do not want to give up my rights

☐ I want a lawyer

☐ I do not want to be questioned or say anything

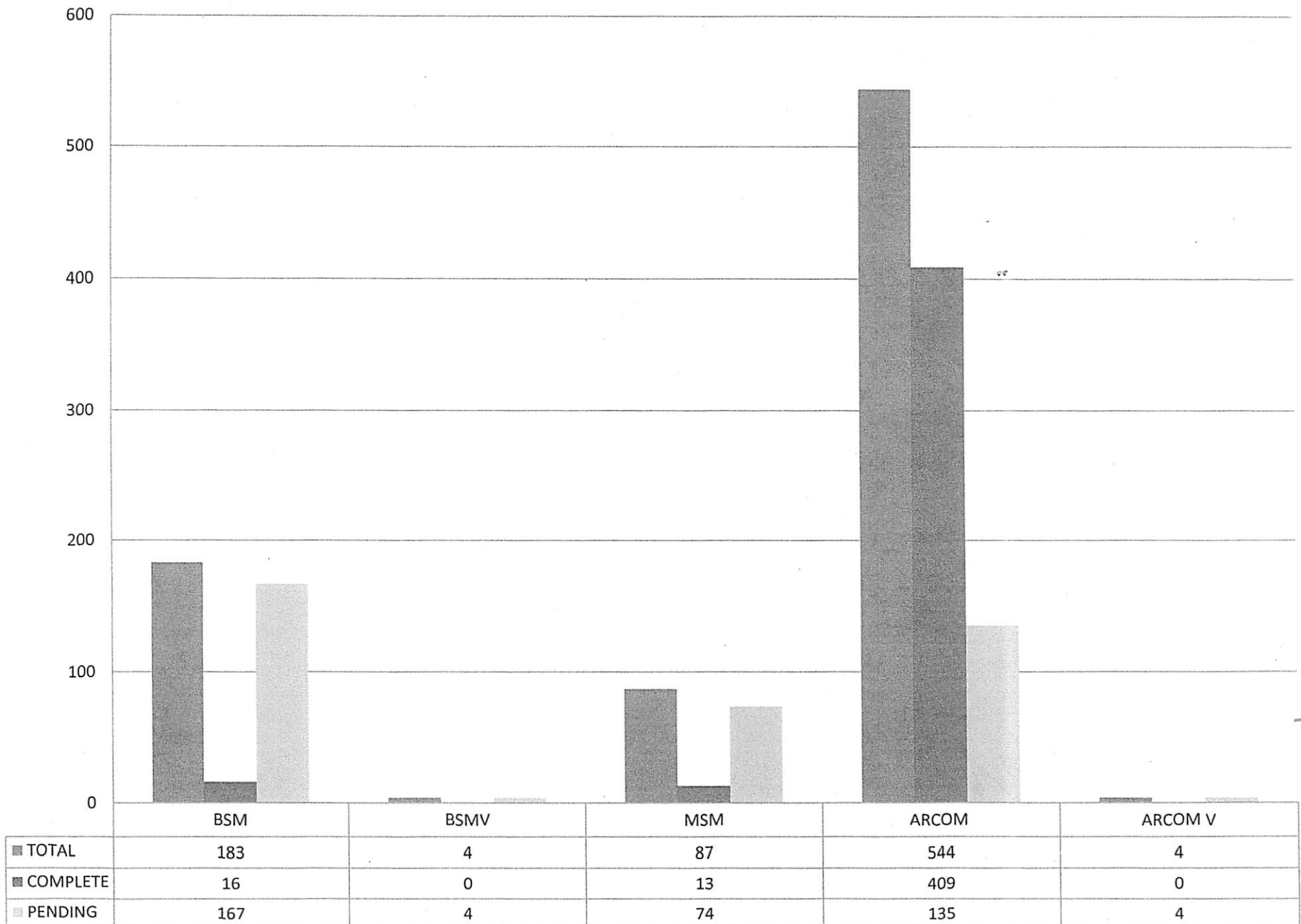
SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SA/ORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

39

40

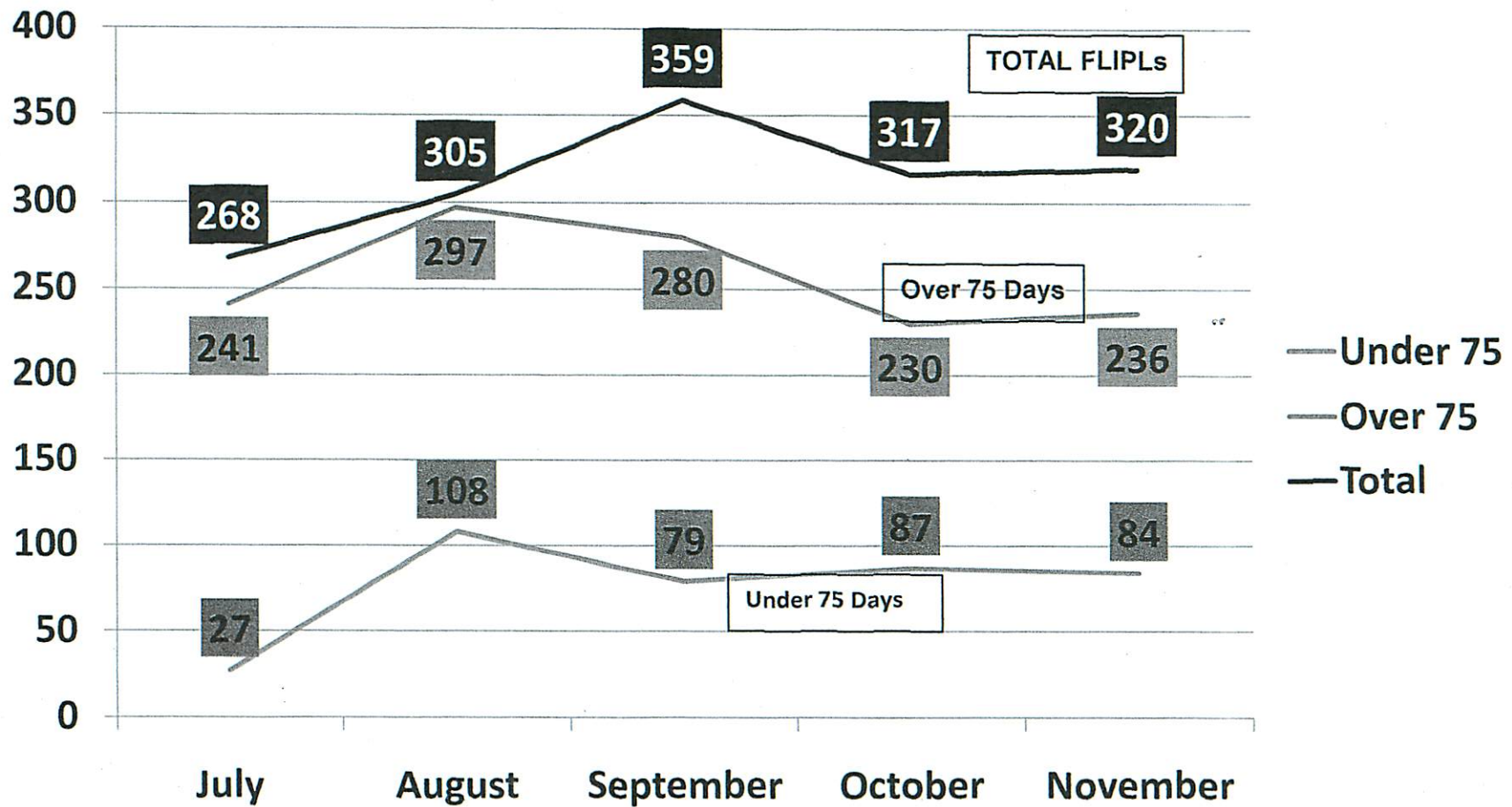
Awards



para 3 k(2)

FLIPLs --BDE TOTAL

(By Month)



N COL

CMD	PSB	HQDA ID#	RATED SOLDIER NAME	RATED SOLDIER	SENIOR RATED NAME	SENIOR	FROM DATE	THRU DATE	RECEIVED DATE	DAYS		Remarks
				RANK		RATER				LATE	UIC	
FC	UB20	04202698	(b) (6), (b) (7)(C)	1SG	(b) (6), (b) (7)(C)	LTC	20080301	20081231	20090507	127	WJMNTO	
FC	UB20	04372885		1SG		LTC	20080819	20090512	20090821	101	WJMJDO	
FC	UB20	04213904		1SG		LTC	20080601	20081215	20090514	150	WJMICO	
FC	UB20	04225066		1SG		LTC	20080401	20090207	20090521	106	WJMSTO	
FC	UB20	04321665		CSM		COL	20080401	20090331	20090717	108	WJMQTO	
FC	UB20	04381462		MSG		LTC	20080501	20090430	20090827	120	WJMMTO	
FC	UB20	04283188		MSG		LTC	20051001	20060930	20090626	1000	WJMMBO	
FC	UB20	04333736		SFC		LTC	20081001	20090309	20090727	140	WJMKAA	
FC	UB20	04352463		SFC		MAJ	20080401	20090331	20090807	129	WJMKAA	
FC	UB20	04382951		SFC		MAJ	20070401	20080331	20090828	515	WJMILT	
FC	UB20	04203214		SFC		CPT	20080302	20090131	20090508	97	WJMSBO	
FC	UB20	04203067		SFC		CPT	20070301	20080229	20090508	436	WJMICO	
FC	UB20	04203066		SFC		MAJ	20071201	20081130	20090508	160	WJMILT	
FC	UB20	04246603		SFC		CPT	20080101	20081231	20090604	154	WJMMAO	
FC	UB20	04246673		SFC		CPT	20080115	20090114	20090604	140	WJMMCO	
FC	UB20	04352483		SFC		CPT	20080410	20090409	20090807	121	WJMILBO	
FC	UB20	04365441		SFC		MAJ	20080501	20090331	20090817	139	WJMKAA	
FC	UB20	04357286		SGT		1LT	20080501	20090430	20090811	104	WCFWAA	
FC	UB20	04342153		SGT		SFC	20071201	20081130	20090731	244	WJMILAO	
FC	UB20	04246656		SGT		SFC	20080120	20090119	20090604	135	WJMMTO	
FC	UB20	04203937		SGT		1LT	20080101	20081231	20090508	128	WJMSBO	
FC	UB20	04191766		SGT		CW2	20071219	20081218	20090501	134	WJMKAA	
FC	UB20	04203930		SGT		SFC	20071012	20081011	20090508	209	WJMICO	
FC	UB20	04342137		SGT		1LT	20080301	20090228	20090731	156	WJMILAO	
FC	UB20	04315107		SGT		1LT	20080331	20090330	20090714	106	WJMNAO	
FC	UB20	04367495		SGT		CPT	20080701	20090630	20090714	15	WJMSCO	
FC	UB20	04202807		SGT		1LT	20080201	20090131	20090507	96	WJMPPA	
FC	UB20	04352464		SGT		CPT	20080201	20090131	20090807	188	WJMICO	
FC	UB20	04203940		SGT		CPT	20080201	20090131	20090508	97	WJMJO	
FC	UB20	04229952		SGT		SFC	20071216	20081215	20090527	163	WJMICO	
FC	UB20	04202810		SGT		1LT	20071220	20081219	20090507	139	WJMICO	
FC	UB20	04225402		SGT		SFC	20071101	20081031	20090521	202	WJMMCO	
FC	UB20	04191779		SGT		SFC	20071201	20081130	20090501	153	WJMICO	
FC	UB20	04203974		SGT		1LT	20080119	20090118	20090508	110	WJMSBO	
FC	UB20	04203963		SGT		CW4	20080101	20081231	20090508	128	WJMIAO	
FC	UB20	04210085		SGT		SFC	20080201	20090131	20090512	101	WJMSTO	
FC	UB20	04375227		SGT		SFC	20080301	20090228	20090824	180	WJMSTO	
FC	UB20	04375240		SGT		SFC	20080501	20090430	20090824	117	WJMSTO	
FC	UB20	04203971		SGT		WO1	20080122	20090121	20090508	107	WJMSBO	
FC	UB20	04352699		SGT		SFC	20080212	20090211	20090807	180	WJMICO	
FC	UB20	04384230		SGT		SFC	20080201	20090131	20090829	210	WJMSTO	
FC	UB20	04203965		SGT		SFC	20080201	20090131	20090508	97	WJMICO	
FC	UB20	04315215		SGT		SFC	20080316	20090315	20090714	121	WJMNTO	
FC	UB20	04210090		SGT		1LT	20080201	20090131	20090512	101	WJMILT	
FC	UB20	04210111		SGT		CW4	20070831	20080830	20090512	255	WJMIAO	
FC	UB20	04225403		SGT		SFC	20080211	20090210	20090521	103	WJMSBO	
FC	UB20	04251649		SGT		SFC	20080201	20090131	20090608	127	WJMSBO	
FC	UB20	04228955		SGT		SFC	20080201	20090131	20090527	116	WJMICO	
FC	UB20	04202817		SGT		1SG	20080109	20090108	20090507	119	WJMNAO	
FC	UB20	04202808		SGT		SGM	20080301	20090131	20090507	96	WJMNTO	
FC	UB20	04228963		SGT		1LT	20080210	20090209	20090527	110	WJMILAO	
FC	UB20	04375267		SGT		SFC	20081001	20090401	20090824	146	WJMSTO	
FC	UB20	04228972		SGT		SFC	20080202	20090201	20090527	118	WJMNAO	
FC	UB20	04202830		SGT		1LT	20071201	20081130	20090507	159	WJMNAO	
FC	UB20	04203065		SGT		1LT	20070815	20080814	20090508	267	WJMNTO	

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

68

<u>CMD</u>	<u>PSB UA</u>	<u>HQDA ID#</u>	<u>RATED SOLDIER NAME</u>	<u>RATED SOLDIER RANK</u>
FC	UB20	04260967	(b) (6), (b) (7)(C)	CPT
FC	UB20	04291599		1LT
FC	UB20	04295967		CW3
FC	UB20	04295971		CPT
FC	UB20	04296002		CPT
FC	UB20	04296023		1LT
FC	UB20	04301193		CW3
FC	UB20	04301214		1LT
FC	UB20	04301215		CPT
FC	UB20	04313070		CPT
FC	UB20	04313079		1LT
FC	UB20	04313088		CPT
FC	UB20	04317336		CPT
FC	UB20	04353087		1LT
FC	UB20	04353124		1LT
FC	UB20	04354082		1LT
FC	UB20	04354449		1LT
FC	UB20	04359957		1LT
FC	UB20	04360005		CW2
FC	UB20	04361298		CPT
FC	UB20	04375105		CPT
FC	UB20	04379008		1LT
FC	UB20	04389615		1LT
FC	UB20	04399636		CW2
FC	UB20	04414449		1LT
FC	UB20	04420268		1LT
FC	UB20	04435310		1LT
FC	UB20	04435817		CPT
FC	UB20	04439591		1LT
FC	UB20	04453972		MAJ
FC	UB20	04453993		1LT
FC	UB20	04455070		1LT
FC	UB20	04464249		1LT
FC	UB20	04470861		CPT
FC	UB20	04470863		1LT
FC	UB20	04473343		1LT
FC	UB20	04486788		1LT
FC	UB20	04486826		1LT
FC	UB20	04489122		1LT
FC	UB20	04501801		1LT
FC	UB20	04501807		1LT
FC	UB20	04511907		1LT
FC	UB20	04524475		CPT
FC	UB20	04629012		CPT
FC	UB20	04642023		CPT
FC	UB20	04661740		CPT
FC	UB20	04677897		LTC
FC	UB20	04680247		CPT
FC	UB20	04681294		CPT
FC	UB20	04698965		1LT

FC	UB20	04730076
FC	UB20	04746247
FC	UB20	04771261
FC	UB20	04783199
FC	UB20	04786017
FC	UB20	04787214
FC	UB20	04807514
FC	UB20	04820100
FC	UB20	04851045

(b) (6), (b) (7)(C)

1LT
WO1
LTC
CPT
CPT
1LT
LTC
MAJ
CPT

SENIOR RATED NAME

TUNNELL HARRY D IV

SENIOR RATER RANK


COL

FROM DATE

20080224
20080613
20080319
20080920
20080620
20070615
20080816
20080322
20080517
20080826
20080726
20081017
20070830
20081016
20080911
20080619
20080621
20081031
20080429
20080422
20080511
20080515
20080523
20080601
20080909
20070530
20080811
20080715
20070802
20080614
20070529
20080829
20090107
20081010
20070919
20090111
20070526
20080723
20081219
20080919
20080908
20081031
20081205
20090320
20081118
20080829
20081202
20090716
20090129
20070621

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



LTC
LTC
BG
LTC
COL
LTC
LTG
COL
COL

20080604
20080520
20090526
20090506
20090625
20090523
20081201
20080724
20090328

THRU DATE

20090130
20081216
20090318
20090130
20090307
20090320
20090401
20090321
20090327
20090130
20090406
20090406
20090402
20090327
20090413
20081028
20090327
20090324
20090428
20090413
20090510
20090514
20090522
20090531
20090430
20090313
20090501
20090620
20090412
20090613
20090701
20090529
20090715
20090327
20090603
20090715
20090616
20090624
20090406
20090401
20090505
20090723
20090505
20091115
20091117
20091019
20091201
20091201
20090706
20091208

RECEIVED DATE

20090612
20090630
20090701
20090701
20090701
20090701
20090706
20090706
20090706
20090713
20090713
20090713
20090715
20090807
20090807
20090808
20090809
20090812
20090812
20090813
20090824
20090826
20090902
20090910
20090921
20090924
20091003
20091004
20091006
20091017
20091017
20091019
20091026
20091030
20091030
20091102
20091111
20091111
20091113
20091123
20091123
20091202
20091209
20100221
20100301
20100309
20100319
20100322
20100322
20100403

DAYS LATE

132
195
105
152
116
103
97
107
101
164
99
99
105
133
117
284
135
141
107
123
106
104
102
101
144
194
155
107
178
127
108
143
103
217
150
109
148
140
221
236
201
132
218
96
105
141
108
111
259
115

UIC ON REPORT

WJMNBO
W6HNC8
WJMKAA
WJMLTO
WJMLCO
WJMLBO
WJMKAA
WJMLTO
WJMLTO
WJMMTO
WJMLTO
WJMLTO
WJMJD0
WJMLAO
WJMMTO
WJMSA0
WJMLTO
WJMSB0
WJMQTO
WJMMTO
WJMQCO
WJMMTO
WJMKAA
WJMKAA
WJMMTO
WJMLCO
WJMNT0
WJMLTO
WJMLTO
WJMKAA
WJMNA0
WJMNT0
WJMNT0
WJMLTO
WJMLTO
WJMNT0
WJMLAO
WJMNC0
WJMLCO
WJMNC0
WJMNC0
WJMQCO
WJMMTO
WJMQRD
WJMLTO
WJMLTO
WJMMTO
WJMNRD
WJMNBO
WJMNA0

20100112
20100120
20100105
20100201
20100215
20100123
20091130
20100109
20100327

20100426
20100504
20100520
20100529
20100601
20100601
20100613
20100621
20100708

103
104
135
120
108
128
195
162
103

WJMMA0
WJMKAA
WJMKAA
WJMMT0
WJMKRD
WJMKAA
WJMQT0
WJMMT0
WJMLA0

41

42

43



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT BLISS
1733 PLEASANTON RD
FORT BLISS, TEXAS 79916

REPLY TO
ATTENTION OF:

AFBL-DCG

10 December 2010

MEMORANDUM FOR RECORD

SUBJECT: Discipline and Standards within 3/B/2-1 IN


para 31(C1)
para 30(C2)

1. The following information was obtained from platoon members' verbal statements during the AR 15-6 investigation.

2. It was stated by numerous Soldiers that due to frequent days of not doing missions, they were often times bored. When there was a mission, it would generally last two to six hours, initially ending with debriefs, but these eventually were not completed after a period of time. Additionally, numerous incidents were cited that showed routine lack of discipline and standards within the platoon.

3. For further assistance, please contact me at (b) (6), (b) (7)(C) or via email at

(b) (6), (b) (7)(C)


STEPHEN M. TWITTY
Brigadier General, U.S. Army
Deputy Commanding General

44



DEPARTMENT OF THE ARMY
2d BATTALION, 1st INFANTRY REGIMENT
2d STRYKER BRIGADE COMBAT TEAM, 2d INFANTRY DIVISION
BLDG 11871
JOINT BASE LEWIS-MCCHORD, WA 98433-9500



REPLY TO
ATTENTION OF:

AFZH-BDB-CSM

03 November 2010

MEMORANDUM FOR RECORD

SUBJECT: Brigadier General Twitty 15-6 Investigation

1. **Purpose:** This memorandum is to provide clarification, background, and insight into the leadership 3rd Platoon, B Co, 2-1 Infantry and the training of 2-1 Infantry prior to deployment to Afghanistan. The specific areas covered are:
 - a. My assessment of (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) leadership while assigned as the Platoon Sergeant and Platoon Leader of 3rd Platoon, B Co, 2-1 Infantry.
 - b. The reasoning behind the replacement of (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) with (b) (6), (b) (7)(C)
 - c. My assessment of how 5/2 SBCT's Counter Guerrilla doctrine affected the National Training Center rotation prior to deployment.
2. Initially (b) (6), (b) (7)(C) and I felt that the pairing of (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) would be an ideal match. With (b) (6), (b) (7)(C) being an experienced and by the book NCO, with close to three years of Platoon Sergeant time, who would mentor a young inexperienced Platoon Leader, (b) (6), (b) (7)(C). Over the course of the deployment however it became apparent that they were not a good match. It was not because of major failures in execution of their missions but a series of lower level incidents that gave (b) (6), (b) (7)(C) and I cause for concern about the leadership they were providing to the Soldiers of 3rd Platoon, B Co. Although I am unable to recall exact dates I do recall exact incidents that gave us cause for concern: negligent discharge of an M203, failure to properly clear weapons upon entering the FOB, shooting of dogs, the "Crusader" bridge, a Soldier being injured on the FOB due to lack of enforcement of safety standards, and my observation of a separation of the Platoon leadership and Squad Leaders, upon completion of the mission, not being engaged with their Soldiers..
The (b) (6), (b) (7)(C) and I spoke with (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) several times about our concerns. This eventually led to (b) (6), (b) (7)(C) and me sitting down with (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) to discuss 3rd Platoon, B Co leadership and possible replacement of both (b) (6), (b) (7)(C). I believe this was around late November. As I stated before this discussion was not triggered over any single incident but due to the constant flow of minor incidents and our, (b) (6), (b) (7)(C) and myself, perception that (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were not responding to our counseling or meeting our intent in taking care of our Soldiers. During the discussion (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) assured us that 3rd Platoon, B Co was their best Platoon and that they had total faith

Para 3/2a

*

AFZH-BDB

SUBJECT:

and confidence in both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) leadership of the Platoon. At that time we decided to leave them. (b) (6), (b) (7)(C) in place based on (b) (6), (b) (7)(C) recommendation.

Shortly after this discussion (b) (6), (b) (7)(C) Stryker was struck by an IED during a Platoon mission. The injuries sustained by (b) (6), (b) (7)(C) required him to be evacuated to Kandahar Airfield for several weeks and upon his return he was limited, physically, on what he could do on patrols; specifically dismounted operations. Additionally, (b) (6), (b) (7)(C) family was involved in a car accident stateside and (b) (6), (b) (7)(C) went on R&R leave. These two incidents effectively took (b) (6), (b) (7)(C) December and January, away from the Platoon or limited (b) (6), (b) (7)(C) ability to be with 3rd Platoon, dismounted, after January. (b) (6), (b) (7)(C) was assigned to 3rd Platoon B Co in December 2009.

In early April (b) (6), (b) (7)(C) and in May (b) (6), (b) (7)(C) were moved out of 3rd Platoon, B Co and replaced by (b) (6), (b) (7)(C) from A Co and (b) (6), (b) (7)(C) from the TAC-CP respectively. Their switch out was part of a planned movement, by the Battalion, of Platoon Sergeants and Platoon Leaders within the Battalion. In total three Platoon Sergeants moved, (b) (6), (b) (7)(C) along with (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) Our, (b) (6), (b) (7)(C) and I, observations and perceptions of 3rd Platoon, B Co leadership did weigh into our decision on the movement but other factors did as well specifically Company mission versus level of experience in the AO and time in duty position. At the time of the movements (b) (6), (b) (7)(C) had served over three years as a Platoon Sergeant and (b) (6), (b) (7)(C) was one of the senior Platoon Leaders within the Battalion. These moves were planned in early March and executed at the end of March into early April and were before the incidents under investigation, wrongful death and assault, came to light.

Para 31(2)

Para 34(3)

(J)

Over all my assessment of the Platoon leadership of 3rd Platoon, B Co. is that both (b) (6), (b) (7)(C) in interaction with their Platoon, did not connect with their Soldiers at a personal level that allowed for the development of a level of trust that would allow their Soldiers and NCOs to feel comfortable to approach them about issues that affected the Platoon internally. I also feel that that (b) (6), (b) (7)(C) while understanding the standards and guidance set forth by the Battalion did not actively enforce or spot check to ensure these standards and guidelines were being followed by his subordinates at all times. Specifically that (b) (6), (b) (7)(C) was more concerned about being liked by his subordinates then leading his subordinates which, directly led to his failure to spot check and ensure standards, guidance, and directives were being enforced and adhered to and that (b) (6), (b) (7)(C) could appear to be detached and appear unapproachable to his subordinates.

Para 32

(2)(i)

3. Our rotation to NTC prior to our deployment in my opinion was not as beneficial as it should have been for our unit. The major focus seemed to me to be to convince us to follow a COIN strategy as opposed to a Counter-Guerilla strategy. The O/Cs and Brigade were openly combative with each other over these different strategies and due to this the AARs, along with other input from the O/Cs, at Battalion and higher levels spent a tremendous amount of time on the discussion of the different strategies as opposed systems and functions of Battle Command. This open hostility between the NTC leadership and our Brigade Leadership was greatly distracting to the purpose of the NTC rotation; prepare for our upcoming deployment to Afghanistan. Speaking for

AFZH-BDB

SUBJECT:

myself only, regardless of using a COIN or Counter Guerilla strategy never mattered to me at the point of execution; the Platoon and Company, and should have never been a focus for NTC. I was confident in the institutional knowledge; from recent combat experience, within in our Battalion and Company leadership that we were capable of adapting to any environment we were placed into in Afghanistan.

4. Point of contact for this memorandum is (b) (6), (b) (7)(C) or
DSN: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

*Subscribed and sworn to before me, a person authorized by law to
administer oaths, this 5th day of November, 2010 at 1 Corps HQ, JBCM.*

(b) (6), (b) (7)(C)

Judge Advocate

45

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD) 2010 11 05	3. TIME 1412	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS E-6	
8. ORGANIZATION OR ADDRESS B Co 2-1 INF			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

on May 2010 incident; soon as I heard the explosion, I was first one came out from compound. My gun teams was following behind me. I Peep around corner (b) (6), (b) (7)(C) stop me to come out from corner, so I stay behind corner until every thing is clear. After when situation is clear I set one gun close to corner pulling far side security. And I take other gun team to roof top and pulling other side of far side security, and I was watching that small compound.

• when we I do not remember the time but when we go out mission to engage KLE. we patrol around village and looking for village leader. one day we are patrol around village I heard gun shot so I look back and I didn't see 1st Squad. I start ~~run~~ run back to 1st Squad I saw (b) (6), (b) (7)(C) walking towards me. So, I ask him about ~~gun~~ gun shot, he said he shot a dog. And other day. we just got village and start get out from ~~truck~~ stryker ready to patrol, He and (b) (6), (b) (7)(C) saw (b) (6), (b) (7)(C) walk towards the dog and shoot the dog. para 342 (b)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)	PAGE 1 OF 3 PAGES
-------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF **(b) (6), (b) (7)(C)** TAKEN AT _____ DATED 2010/1/05

9. STATEMENT (Continued)

So **(b) (6), (b) (7)(C)** call he to the his Stryker ask why he shoot the dog. And **(b) (6), (b) (7)(C)** didn't let he go out this mission and few other missions.

(b) (6), (b) (7)(C) like to lift weight and I believe **(b) (6), (b) (7)(C)** lift weight with **(b) (6), (b) (7)(C)** and **(b) (6), (b) (7)(C)** few times. And after their workout they talk about weight lifting and weight supplements.

(b) (6), (b) (7)(C)

INITIALS OF PERSON MAKING STATEMENT **(b) (6), (b) (7)(C)**

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT _____ DATED 20101105

J. STATEMENT (Continued)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b) (6), (b) (7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of November, 2010 at _____

(b) (6), (b) (7)(C)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

46

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

ORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

IPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Joint Base Lewis-McChord WA	2. DATE (YYYYMMDD) 2010/11/15	3. TIME 1300	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS 02	
8. ORGANIZATION OR ADDRESS B Co, 2-1 IN, 2/2 SBCT			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1) I served as the Battalion S5 for 2-1 IN, 2-2 SBCT throughout the entire deployment from June of 2009 through July of 2010. During this time I was the Battalion Commander's lead advisor on non-lethal operations, particularly psychological and governance/development operations. I, along with (b) (6), (b) (7)(C) acted as the Commander's advisor during shuras (traditional Afghan meetings of elders) with local GIROA Officials and the meetings with informal tribal and village leaders. These shuras occurred both on a regular weekly schedule and at random times either during a patrol or when a leader would come to a US base with an issue. During our weekly shuras elders would bring their grievances, usually asking for money for crops damaged during our patrols or the return of a detainee. We would almost always side with the elders and agree to pay for damages and usually the elders were not upset when we would not pay because of the outlandishness of their claims.

ver, in January 2010 the tone of the elders from one area of our AO changed. The area was the cluster of villages directly of FOB Ramrod. This anger was first displayed at the regular weekly shura when elders claimed that we threw a grenade at a local national (LN) and shot him. I cannot recall the specifics as to whether the elders claimed the LN was shot first or whether the grenade was thrown first. Regardless, the claim really stuck out as it was the exact opposite of the way that the situation was described to me previously. I explained (b) (6), (b) (7)(C) was on leave) that the US Army does not simply shoot LNs for no reason, and that it was completely unreasonable to be mad at us for shooting a LN who attacked us with a grenade. The elders from throughout the AO agreed that we had never done anything like this previously but insisted that the LN was innocent. Their evidence was that he was a supporter of Coalition Forces and that either he or someone in his family had previously been punished by the Taliban for this support. They argued that this man and his family would be the last to attack CF. At this point the elders were very emphatic, also claiming that CF had shot dogs in that village, though they were unclear as to whether it happened on the same day or previously. I did not believe their claims for several reasons. 1) In my previous meeting with these elders they had been arguing on behalf of a Taliban leader. 2) They brought up the claim about shooting the dogs only at the end when they were very heated. It made me believe that they were attempting to make any claim against us. 3) Their claim was the exact opposite of ours, the only way it could have been true would be if we had committed murder and then lied about it. The elders had previously admitted that the Taliban would force them to come to our meetings and make irrational claims and exaggerations against us in favor of the Taliban. Though I often empathized with the LNs, their claims on this day seemed to me to be outlandish and completely illogical-exactly like the unfounded claims that the elders were often forced to make on behalf of the Taliban. I concluded that the Taliban had forced them to come a make a public stand against us and try to make us look bad.

The following week at a small shura that included only formal GIROA leaders, not tribal leaders and elders, the issue arose again. When it did, I brought (b) (6), (b) (7)(C) into the meeting so that he could specifically address the issue since it was his platoon in question (b) (6), (b) (7)(C) just happened to be at COP Rath at the time of this meeting). (b) (6), (b) (7)(C) explained that the LN was shot only after he threw a grenade at US forces. The District Governor explained again that this made no sense because of the background of the LN's family, but that he understood that we have to protect ourselves if attacked. The District Governor, NDS Chief (Afghan FBI), and local police chief all seemed to accept this explanation once (b) (6), (b) (7)(C) explained that he was present and assured them that

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM DATED 2010/11/15

9. STATEMENT (Continued)

that the event took place as he described. The NDS Chief then asked about the incident in which a man was killed in an EOF incident for continuing to walk towards a dismounted element. The GIRoA officials agreed that the man was "crazy", and they did not seem upset that he was killed. However, they were very concerned about why he was killed. Specifically they thought that something did not make sense with our evidence. Because the man was "crazy" they believed that he would have ignored our EOF procedures and it was reasonable to shoot him. They did not understand why he would have had a magazine in his possession. This seemed to really upset them and was a topic of discussion for some time. (b) (6), (b) (7)(C) assured them several times that he had been present throughout the event and everything had been handled properly. The ANP and NDS Chiefs asked us to investigate the situation and provide a picture of the magazine, which we later did.

The following week at the regular shura with the local leaders, there was an abnormally large contingency of approximately 75 elders. The head tribal elder told me before the shura that all of the elders were present because of issues with how we were acting in western Maiwand. During the shura the elders repeatedly explained that the man who was killed would never have thrown a grenade at US forces. They further explained our Soldiers in that part of our AO were "not treating people right". Specifically, they claimed that the Soldiers who killed the man with the grenade had also killed dogs and chickens and that these Soldiers had repeatedly conducted searches without the head of household present (when we first arrived in sector, (b) (6), (b) (7)(C) promised the local elders that we would never search a house without the head of household present. This policy was wildly successful in gaining local buy-in). When I raised the point that this did not make sense, that we had not had these issues anywhere else in the AO, they agreed. Elders from throughout the rest of the AO supported my point and said that we had always treated them well. The head elder then gave a very passionate speech in which he explained that although we had done many good things and helped many people in the AO, that we were not treating people well in that area (again, villages west of FOB Ramrod). He explained that there were many reports of us treating people badly in those areas and that people were particularly upset about shooting the dogs and chickens. He then explained the following (approximate): "You accuse our sons of crimes and they tell us that they are innocent. You then tell us that they are guilty and to keep investigating. Just as our sons lie to us, your Soldiers lie to you. Please investigate and find out why your Soldiers in this area are treating our people badly."

That the logic of the argument and the repeated claims of shooting dogs were very important. I personally informed (b) (6), (b) (7)(C) of this information that night. (b) (6), (b) (7)(C) asked a lot of questions and I explained to him that I had never before felt that an Afghan claim held so much weight. I did not believe that it was even a possibility that our Soldiers had murdered these men. However, the amount of elders present, the logic of their stories, and the passion of their arguments made me believe that the units operating west of FOB Ramrod were not treating them right and that it was effecting the success we were having with the rest of the populace. (b) (6), (b) (7)(C) seemed furious. It was obvious throughout the deployment that he cared not only about the mission, but also about "doing the right thing" and protecting the Afghan people. Two days later I remember hearing that (b) (6), (b) (7)(C) was no longer the platoon leader and (b) (6), (b) (7)(C) had replaced him. I never heard any complaints about the treatment of Afghans in the villages west of FOB Ramrod after (b) (6), (b) (7)(C) became the platoon leader.

2) Regarding my view of 3rd PLT B Co:

I had the opportunity to go out on patrol with almost every platoon in the battalion. 3rd Platoon acted differently. Specifically, it seemed to me that their squads acted far more independently than any other platoon in the battalion. Throughout the patrols that I went on with them, it seemed that the Soldiers were very tightly bound to their squad leaders rather than to the platoon as a whole. I recall this simply because it was different, neither bad nor good.

The only negative thing I saw while on patrol with them was that they did not seem to have the same level of respect and care for the populace as the other platoons did. For example, most platoons go out of their way to show LNs that they are friendly while walking around their village armed. In my experience with 3rd platoon, while (b) (6), (b) (7)(C) was PL, the villagers seemed very scared of them and the platoon leadership seemed to think this was normal and desirable. It is of my opinion that this was because of they were desensitized to local nationals. I believe that their Zone Reconnaissance missions required them to spend so much time observing people from a distance and getting attacked by an unknown enemy with IEDs that the platoon began to see every person as an enemy. I came to this conclusion after observing the way that the platoon operated and after several discussions about non-lethal operations with (b) (6), (b) (7)(C).

3) 2-1 IN COIN operations were completely populace focused. Within a week of our RIP, (b) (6), (b) (7)(C) informed us that our mission would be focused on "winning the argument" against the Taliban for the support of local nationals. A majority of our lines of effort focused on supporting and protecting the local populace. (b) (6), (b) (7)(C) gave myself and (b) (6), (b) (7)(C) unqualified support in doing whatever necessary to win the support of key local leadership. (b) (6), (b) (7)(C) made it very clear throughout the deployment this argument would not be won simply by conducting large projects and blindly supporting corrupt local leadership, but more

INITIALS OF PERSON MAKING STATEMENT (b) (6), (b) (7)(C)

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

ve that the vast majority of the battalion embodied (b) (6), (b) (7)(C) ideals and because of this our COIN operations were very successful. A key part to reinforcing this were the many small jobs projects that employed local Afghans and ensured that different villages and tribes received support from the local government. A second key part was the empowerment of the local shura. Previous to our deployment, the local shura held no power because of GIROA corruption and Taliban intimidation of village and tribal elders. Our continuous work to empower the shura, such as requiring all projects to go through the shura and ensuring that all key problems were handled publically through the shura, resulted in an increase from eight shura members bi-weekly to a weekly shura with an average of 50 members.

To the best of my observations, Col Tunnel did not support these efforts. While I do not have many specific examples, the pattern seemed to be that the only non-lethal efforts that Col Tunnel wanted to focus on were those that would create a large media victory for 5/2 SBCT, or those that would aid his lethal fight. Col Tunnel set the tone for this lack of support with the initial review of CERP projects. Three days before the first CERP project approval meeting, (b) (6), (b) (7)(C) informed me that "no CERP project will be approved unless Col Tunnell can be shown how the project will help us to kill enemy forces." This stuck in my memory as I had previously gone through training that warned of the legal repercussions of using CERP funds for any project that would support combat operations. Four of the five projects that we presented received approval and funding because we were able to show how they would help us to kill enemy formations. We were unable to show how building a wall around the local clinic to give privacy so that women could receive health-care would kill enemy formations. Ironically, the clinic wall was the most important of the projects to the local populace. Throughout the rest of the deployment we primarily used a source of funding that required no approval from Col Tunnell (NATO POERF) so that we would not have to satisfy his counter-productive requirements.

This issue with funding set a pattern throughout the deployment. Whenever I needed funding or resources for our non-lethal fight, I would go around 5/2 SBCT and directly to the actual resource, secure the resource, and then inform the brigade. This was a necessity because Col Tunnel simply would not release funds or resources in a timely or logical manner. One example of this was a local generator and grid system that took five months to gain Col Tunnel's approval. Another example were the countless agencies that I had to establish contact with and "sell" on working with us (2-1 IN) because they did not want to be associated with TF Stryker. Some examples of these include US Army Psychological Operations teams and equipment, and several US Gov agencies such as USAID, USDA, etc.

In my opinion, the lasting effect of 2-1 IN was to turn the previous Taliban safe haven of Maiwand into a stable area that was poised to grow into a successful district, despite its location between Zhari and Marja. We did this because of the great many individual sacrifices and an overall commitment at all levels to "winning the argument." I believe that we were able to act in this manner because Col Tunnel was not paying attention during the fall when we established most of our programs. By the time he began to visit TF Legion, our COIN operations had been wildly successful and we were used as his example of success. In my opinion our non-lethal success occurred not because of, but despite the actions of Col Tunnel. More importantly, regardless of the individual efforts of (b) (6), (b) (7)(C) myself, or any other person, we would not have had the success we did without (b) (6), (b) (7)(C) leadership.

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

Subj
admin
at

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(b) (6), (b) (7)(C)

(Typed Name of Person Administering Oath)

Judge Advocate
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 3 OF 3 PAGES

47

48

CHU LAYOUT

(b) (6), (b) (7)(C)



(b) (6), (b) (7)(C)



(b) (6), (b) (7)(C)

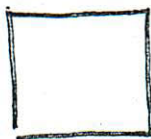
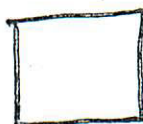


(b) (6), (b) (7)(C)

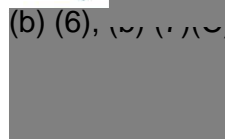


(b) (6), (b) (7)(C)

FURTHEST FROM
DRUGS & ASSAULT.



DRUGS /
ASSAULT ON
↓ (b) (6), (b) (7)(C)



Para 3(g)(2)

Confirmed by Members
of the Platoon.

Sgt. M. Twitty
Stephen M. Twitty
BG, US
military officer

49



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT BLISS
1733 PLEASANTON RD
FORT BLISS, TEXAS 79916

REPLY TO
ATTENTION OF:

17 November 2010

AFBL-DCG

MEMORANDUM FOR RECORD

SUBJECT: Interview with (b) (6), (b) (7)(C)

1. The following statements were made during my interview with (b) (6), (b) (7)(C) during the AR 15-6 investigation.

A. (b) (6), (b) (7)(C) I had been busting my ass for a year and a half trying to prove to him (b) (6), (b) (7)(C) that hey, I'm not a turd or what not. (b) (6), (b) (7)(C) comes into our squad after he was in 1st platoon with (b) (6), (b) (7)(C) he was the golden child, (b) (6), (b) (7)(C) was one- they had a clique, who was like the good old boys. I would like get smoked for hours for calling my squad leader (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C) he did it with more than one squad leader. That didn't affect me from calling him (b) (6), (b) (7)(C) or anything. But it's just like wow, it was obvious that he could do no wrong.

Question: Were you allowed to talk to soldiers by their first name?

(b) (6), (b) (7)(C)
Yup.

para 2(4) 2(h)

Question: I noticed in the sworn statements that showed specialists and privates calling each other by their first names. Was that a thing in the platoon here? *

(b) (6), (b) (7)(C) Well, we were trying to, I mean I guess the best we could, we were trying to have platoon cohesion. In my eyes, if you aren't a team leader, I understand and respect the rank, and certain situations. But if it is down time or whatever, I don't mind them calling me (b) (6), (b) (7)(C) or by my first name. I don't see it as an issue, we are all over there no matter, rank really has nothing to do with you being over there, you are there you know who is in charge of you and you know who is not. So at that point and time, if someone just came up to me and said you need to call me Specialist, I would be like fuck you, you aren't in charge of me. I can understand now if hey, this detail came down and I am in charge of this detail, you need to do this, roger, and like I will do it. But other than that, there's bigger platoon cohesion by being able to be like hey what's up, whatever your first name is.

Question: Did you ever hear rumors about them smoking hash and drugs?

(b) (6), (b) (7)(C) I didn't hear rumors, I suspected. They would come down and ask me for my Stryker keys in the middle of the night, oh I have to grab this for (b) (6), (b) (7)(C) or one of the squad leaders. Ok. Hour, two hours, three hours later come, I'm like I go looking for them to get my keys back, because me and the VC are in charge of the truck, I am looking for the keys. para 39(2)

Question: Could you smell it in your Stryker?

(b) (6), (b) (7)(C) No, my best guess is that it was well ventilated. I mean, I don't know. I didn't do it and wasn't down there.

Question: Which vehicle was yours?

(b) (6), (b) (7)(C) was B-3-2

Question: How frequent and what time frame did it start when people asked for your vehicle?


(b) (6), (b) (7)(C) I would say, in late November when it started. (b) (6), (b) (7)(C) asked for my keys once a day? I don't know, like, he was a team leader so I couldn't really ask him any questions and you know, just please don't fuck up my seat or anything.

Question: Was he in your truck?

(b) (6), (b) (7)(C) Yes he rode my truck.

2. If I may be of further assistance, please contact me at (b) (6), (b) (7)(C) or via email at

(b) (6), (b) (7)(C)


STEPHEN M. TWITTY
Brigadier General, U.S. Army
Deputy Commanding General

50

51

52

53

(b) (3) (B)

54

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent of this form is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY:
PRINCIPAL PURPOSE:
HOW IT IS USED:
DISCLOSURE:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 Dated November 22, 1943 (SSN)
To provide commanders and law enforcement officials with means by which information may be accurately recorded.
Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS E-5/SGT	
8. ORGANIZATION OR ADDRESS B CO 2-1 INF, 2/2 SBCT			

9.

I, (b) (6), (b) (7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

para 3 a2

I think that (b) (6), (b) (7)(C) was a terrible PSG both personally and professionally. He had nothing to do with anyone in the platoon unless he either needed to or it would benefit him in some way, shape, or form. He never had a good feel for the platoon, nor did he ever have their respect. (b) (6), (b) (7)(C) is a good guy that was liked by the platoon but it was apparent to several people that he didn't really have a strong leadership ability. He seemed more worried about being liked. I liked (b) (6), (b) (7)(C) during most of my time working with him. He was a funny, laid back, and knowledgeable squad leader. (b) (6), (b) (7)(C) always called the locals savages. But every time that he would say that, he made it sound light hearted. It never came across as some sort of deep hatred. (b) (6), (b) (7)(C) helped me wash the dirt and blood off of the fingers of the first body that we encountered so that I could scan them and enroll the corpse as DECEASED in the HIIDES system. During this (b) (6), (b) (7)(C) said that we should cut off a finger and keep it. When I asked him why he said that it would be funny to put it on or in peoples care packages. Like a practical joke. (b) (6), (b) (7)(C) also liked to shoot the dogs if they got close, at first. As time went on, he actually went out of his way to walk up to a dog and shoot it. Our PSG at the time, (b) (6), (b) (7)(C), pulled him aside and lectured him about how and why he shouldn't do that in another truck. Afterwards (b) (6), (b) (7)(C) was sent back to my truck and stayed on it for the rest of the mission. While out on mission (b) (6), (b) (7)(C) and myself would talk back and forth on the FBCB2 through text messages. We were listening in on our Platoon Frequency and over heard that (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were going to join up together during the patrol. Then me and (b) (6), (b) (7)(C) talked about how that was a bad idea since everytime they get together something happens. Such as, shoot a dog. And sure enough, right after we talked about that is when (b) (6), (b) (7)(C) called up that they were in contact. This is one of the killings that are currently being investigated. (b) (6), (b) (7)(C) knew that there was some bad things that had already happened with the platoon whenever he had come to our platoon, and that is one of the reasons why he was brought in. So he was just hoping to make the best out of what he had been given. Even though it wasn't ideal.

Para 3 (2) (b)

Nothing Follows

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING _____ TAKEN AT _____ DATED _____

BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) (Typed Name of Person Administering Oath)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of November 2010.

(b) (6), (b) (7)(C)

(Typed Name of Person Administering Oath)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(b) (6), (b) (7)(C) PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT BLISS
1733 PLEASANTON RD
FORT BLISS, TEXAS 79916

REPLY TO
ATTENTION OF:

AFBL-DCG

09 December 2010


MEMORANDUM FOR RECORD

SUBJECT: Interview with (b) (6), (b) (7)(C)

1. On 5 November 2010, I interviewed (b) (6), (b) (7)(C) at Joint Base Lewis McChord, Washington. During that interview he made the following statements which were not included in his written statement.

That he found one of the platoon's enemy engagements to be suspicious when he first heard of the event while stationed in his vehicle monitoring the FBCB2. However, after hearing the report of the event, including weapons found on the body, he accepted the report and did not pursue the matter further, as the explanation sounded reasonable.

2. The point of contact for this memorandum is the undersigned at (b) (6), (b) (7)(C) or via email at (b) (6), (b) (7)(C)


STEPHEN M. TWITTY
Brigadier General, U.S. Army
Deputy Commanding General

55

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Joint Base Lewis McChord	2. DATE (YYYYMMDD) 2010/11/08	3. TIME 1022	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS E6/AC	
8. ORGANIZATION OR ADDRESS BLDG 11778 Joint Base Lewis McChord, WA 98433			
9. (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: On Friday 05 November 2010 at about 1330 hours, I was interviewed by Brigadier General Twitty and (b) (6), (b) (7)(C). This sworn statement will contain my assessment of (b) (6), (b) (7)(C) as well as some incidents involving (b) (6), (b) (7)(C) poker games with civilian contractors, and the post shooting events of the roadside shooting. (b) (6), (b) (7)(C) was a very by the book leader, never leaving room to adapt to the situation. He was more concerned with how he personally looked to his leaders than about the soldiers under him. For example if a soldier in the Platoon got a DUI his first thought would how he was going to look bad, and not why the Soldier got the DUI in the first place such as family problems etc. As a result, in my opinion, this caused more of the smaller disciplinary problems in the Platoon. (b) (6), (b) (7)(C) had little to no trust in the NCO Corp. We were included in the planning process for missions, but our on the spot questions or decisions were disregarded or reversed. There was an incident during our OEF deployment where we chased down a suspicious individual on a motorcycle who had ran from us on seeing our trucks during a night patrol. We where not able to capture and question the individual, myself and some of the other squad leaders suggested we disable the motorcycle utilizing an incendiary grenade or something of the like. (b) (6), (b) (7)(C) disregarded the suggestion and laughed it off. After calling higher headquarters, Kiowa helicopters were dispatched to fire on and destroy the motorcycle. (b) (6), (b) (7)(C) asked why we didn't do that immediately. While I was gone on block leave from approximately November 28 2009 to December 23 2009, the other squad leaders and possibly (b) (6), (b) (7)(C) had a meeting with (b) (6), (b) (7)(C) discussing his distrust for the NCO's in the Platoon. Around the 1 January 2010 the squad leaders were given some more room to operate independently in order to accomplish our missions. (b) (6), (b) (7)(C) had allowed the soldiers to often shoot local dogs without cause mostly by (b) (6), (b) (7)(C). There was approximately five to six dogs shot without cause. (b) (6), (b) (7)(C) had said something to (b) (6), (b) (7)(C) about the shootings but was disregarded. I attempted to stop it through the younger soldiers usually around the DFAC stating that it was childish and gave us a bad name around the local populace. Around April 2010 (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were replaced by (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). There was an immediate impact for the better in the Platoon. It was brought to my attention that before they had come to the Platoon there were several complaints from the villages we frequently went to, and after they had taken over the Platoon the complaints dropped to zero. As soon as (b) (6), (b) (7)(C) came to the Platoon he began enforcing discipline on the smaller issues we were having as well as the larger ones. There was an incident early on where (b) (6), (b) (7)(C) had shot a dog for no reason in the village of Biabanak and (b) (6), (b) (7)(C) jumped of the truck immediately and made (b) (6), (b) (7)(C) stay on the truck during the rest of the mission. After the mission was complete (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) had spoke to all the squad leaders and told us that was unacceptable behavior and it would no longer be tolerated. (b) (6), (b) (7)(C) got more involved with the soldiers and they started feeling like the higher leadership cared about them and their well being. He immediately sought the knowledge and suggestions of the NCO leadership and worked with us rather than telling us what he wanted without room for flexibility. He will be amongst the Platoon Leaders that I remember for years to come. My assessment of (b) (6), (b) (7)(C) is that around the soldiers he was charismatic, but he was a loner off mission, back at the FOB. Most the leaderships doors at the CHU's were always unlocked, (b) (6), (b) (7)(C) always had his locked. Only on occasion would eat a meal with the rest of the Squad Leaders or other leadership. When he first came to the Platoon I had my reservations about him.			
10. EXHIBIT	11. IN (b) (6), (b) (7)(C) MAKING STATEMENT	PAGE 1 OF 3 PAGES	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM DATED 2010/11/08

9. STATEMENT (Continued)

He was replacing a well respected Squad Leader and the rest of the Squad Leaders didn't know why we didn't get that Squad Leader back. He was very quiet when he first came to the Platoon. I believe him to have some racist beliefs due to some of the joking he would do. One incident I remember was during a period when grooming standards were relaxed by order of the Brigade Commander COL Harry Tunnel, (b) (6), (b) (7)(C) had a very robust mustache and was told to trim it down. As what I thought was a joke at the time, he combed his hair over in the likeness of Adolf Hitler and shaved his mustache in the likeness of Adolf Hitler. He most of the time referred to Afghan people as "Savages", which I took as a joke as well. (b) (6), (b) (7)(C) was responsible for a majority of the dog shootings either directly or through example. In my opinion (b) (6), (b) (7)(C) displayed a Darwinist belief system. (b) (6), (b) (7)(C) and I had a couple of debates regarding survival of the fittest and how it applied to the war in Afghanistan and the Afghan people. He made very clear to me that he was not involved in the war to help the Afghan people or protect Americans from acts of terrorism. We were told that (b) (6), (b) (7)(C) was moved to us from A52 because there was an incident where he had taken a Gator without permission and drove it around the FOB, I had heard a rumor recently that he had gotten intoxicated in country stole the Gator and drove recklessly around the FOB. Several of the Soldiers in the Platoon often played poker with the civilian contractors, specifically (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) and on occasion (b) (6), (b) (7)(C). There may have been more Soldiers but I don't know by name who. I had heard rumor that some of the contractors smoked Hash or Marijuana on FOB Ramrod at tower 9 which was not used for FOB security anymore. As to the post events of the roadside shooting I can only speak from my point of view. After the shooting had occurred a like was tied to the dead enemy combatant and he was dragged about ten feet with a STRYKER to ensure their was no booby traps or explosives that might go off (b) (6), (b) (7)(C) had handled the TSE and processing the HIIDES system. The enemy combatant did come up as a 50 % match on the HIIDES. After TSE was complete we began searching the area for any contraband. After about an hour I heard a call that a magazine had been found on the hill were he was sitting. This did not strike me as unusual or suspicious, because I thought the enemy combatant may have been going to get the rifle. After we were complete on the scene we took the enemy combatants body to the ANP station in Huta and they took possession of him. The magazine was placed in a clear zip lock bag and turned in to the A Troop TOC. NOTHING FOLLOWS

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 2 OF 3 PAGES

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM DATED 2010/11/08

STATEMENT (Continued)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b) (6), (b) (7)(C)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

administer oaths, this 15th day of November, 2010

at (b) (6), (b) (7)(C)

(Typed Name of Person Administering Oath)

Judge Advocate
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 3 OF 3 PAGES

56

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

IMPORTANCE: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION JOINT BASE LEWIS MCCORD	2. DATE (YYYYMMDD) 2010/11/15	3. TIME 0800	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS 01/AC	
8. ORGANIZATION OR ADDRESS			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

As I walked out of (b) (6), (b) (7)(C) (LN who we found with possession of an IED in his residence – had since been detained and released) compound where I was conducting a KLE the first person I saw was (b) (6), (b) (7)(C) at the edge of the compound I had just exited. Approximately 30-50 meters to the north of (b) (6), (b) (7)(C) lying in the prone were both (b) (6), (b) (7)(C) about arms length from each other and (b) (6), (b) (7)(C) was near them as well but I cannot say exactly where or what he was doing. (b) (6), (b) (7)(C) was the point man and was the furthest east with (b) (6), (b) (7)(C) pulling security on the eastern edge of the deceased compound. As I made my way towards (b) (6), (b) (7)(C) called out to me, "Sir that guy threw a grenade at me so I shot him." Next I noticed a woman and a few children standing inside the deceased compound and the woman was screaming loudly to which I responded by having my interpreter call to her and have her exit the compound. I asked my interpreter what she was saying to which he responded, "She is saying anything she's just upset." As my interpreter escorted the wife and children away from the compound (b) (6), (b) (7)(C) took the 240B gunner (b) (6), (b) (7)(C) to the rooftop of (b) (6), (b) (7)(C) compound which allowed him to visual clear the deceased residence. When I received an all clear from (b) (6), (b) (7)(C) I started to move towards the body to which (b) (6), (b) (7)(C) responded by saying, "Sir be aware I think he may have another unexploded grenade under or near his body." At this time I stopped my movement towards the body and decided to wait until more assistance arrived on scene from the vehicle crew. (b) (6), (b) (7)(C) had stated that the events had surprised him and he was visibly shaken. Soon after I called to the crew on the trucks and (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) made their way towards me from the east where the vehicles were staged. (b) (6), (b) (7)(C) and I made our way towards the body and using the ACOG sights from our weapons identified what turned out to be a Russian grenade lying unexploded near the deceased head. Somewhere during this time (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) made their way off the rooftop and staged the 240B facing north. (b) (6), (b) (7)(C) and the (b) (6), (b) (7)(C) had made their way from the truck at this point and I used the ASIP to radio back to (b) (6), (b) (7)(C) His instructions were to gather the locals and allow them to see this man lying there and explain to them that this was a justified and provoked killing. He also instructed me to take pictures of the scene, move the body and enter the deceased into the HIIDES, exploit the grenade with C4 and search the deceased residence for any other evidence. (b) (6), (b) (7)(C) headed up the HIIDES operation, (b) (6), (b) (7)(C) took the lead on the TSE of the deceased residence, (b) (6), (b) (7)(C) blew the grenade in place with C4 and we then took the deceased body to the Huta police station for identification. After recently speaking with (b) (6), (b) (7)(C) about the events of this day he brought to my attention that while both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were members of (b) (6), (b) (7)(C) squad they both either chose to or were told to stay inside the compound where I was conducting the KLE. Neither was outside the compound with the squad as they conducted a roving patrol of the area and subsequently killed the LN. Also in our discussion it was brought to my attention that (b) (6), (b) (7)(C) who was also a member of (b) (6), (b) (7)(C) squad is not accounted for.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF (b) (6), (b) (7)(C)
-------------	---	-------------------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b) (6), (b) (7)(C) TAKEN AT JBLM DATED 2010/11/15

STATEMENT (Continued)

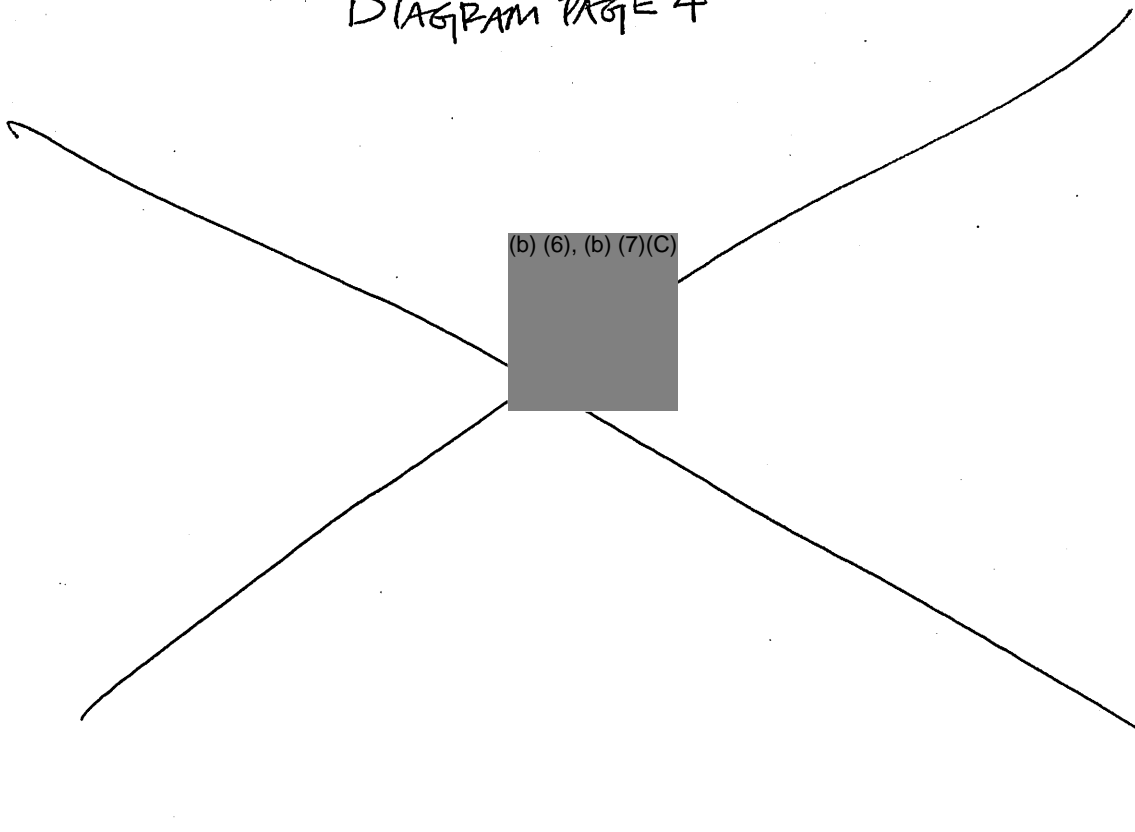
My initial impression of the platoon was a positive one. They seemed to have good NCO leadership to which they responded by displaying a discipline that one would expect in a combat environment. I am only referring to their actions prior to, during and post mission. Due to my other responsibilities I was not able to spend additional time with the platoon during the RIP process with (b) (6), (b) (7)(C). They moved well and were alert while on patrol. Their interaction with the locals was similar to what I had seen in with other platoon and what I expected. They communicated well and every soldier seemed to know their role in the mission. My impression of (b) (6), (b) (7)(C) was also a positive one. He was very respectful, soft spoken and knowledgeable and seemed to be well liked or at least respected by his men. He was always engaged in the missions, which at the 7 month point for some soldiers can be difficult. He was extremely fit and had an intimidating look due to his size but it didn't come through in his actions or demeanor.

My initial impression of (b) (6), (b) (7)(C) was that he displayed a leadership style that was the exact opposite of mine. He was fair, just and professional and communicated his expectations well to every soldier. He possessed knowledge of the administrative side of the house that I didn't and his attention to that allowed me to focus on mission planning and mission readiness.

During my RIP with third platoon (b) (6), (b) (7)(C) was present on every mission acting more as a guide to the area I would work in and advising on the different challenges I would face along with what he expected of me as a leader. Over the next 4-5 months I would say he may have went out with us 4-5 more times. Specifically he accompanied us on a mission in the village of Maku in pursuit of a target we had developed, a CME in Akturay and my platoon also escorted him to several times to COP Rath for weekly Shuras. As far as (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) while I say them both almost daily on FOB Ramrod either at the dining facility or the laundry point or at the gym and we spoke often about the platoon and its progress which I would describe as positive neither ever went with me on patrol when I was 3rd platoon leader. Of the three their presence or lack thereof was not something that I saw as unusual. On a prior deployment I had a similar experience. It was my impression that if things were going well it allowed the leadership to focus time on other areas of concern or interest.

DIAGRAM PAGE 4

(b) (6), (b) (7)(C)



INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF

(b) (6), (b) (7)(C)

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

AFFIDAVIT

I, _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR

(b) (6), (b) (7)(C)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subs
adminis
at

(b) (6), (b) (7)(C)

(Signature of Person Administering Oath)

(b) (6), (b) (7)(C)

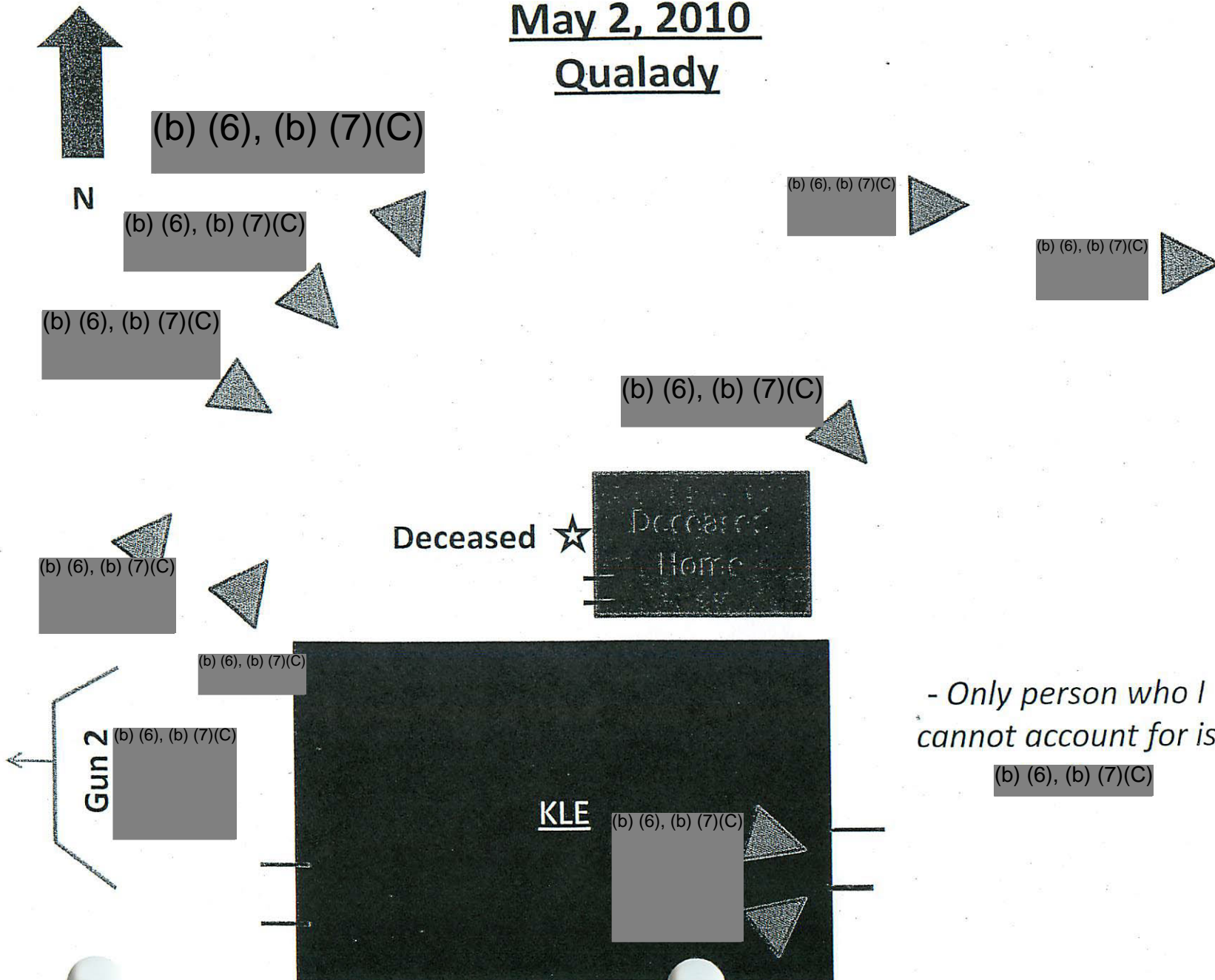
(Typed Name of Person Administering Oath)

Sudge Advocate
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 4 PAGES

May 2, 2010
Qualady



57

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS E-7/ Active	
8. ORGANIZATION OR ADDRESS HHC, 2-1 IN REGT, 2-2 ID (SBCT)			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I served as a Platoon Sergeant in 3rd Platoon, B Company, 2-1 IN BN while deployed to Afghanistan from 25 July 2009 until on or about 28 Mar 2010. On 28 Oct 2010 my wife and children were involved in an vehicular accident. I did not request to go on emergency leave. On 17 November my vehicle struck an IED in which I was evacuated immediately after. I suffered a mild TBI and injury to my lower left lumbar. I returned to FOB Ramrod in 2 Dec 2009. I was unable to go on patrols until 7 Dec 2009. On 27 Dec 2009 I departed FOB Ramrod for R&R Leave. I returned to FOB Ramrod on or about 23 Jan 2010. I left FOB Ramrod to conduct Stryker refit to KAF in sometime between 10-15 March 2010 and returned in sometime between 20-25 Mar 2010. Upon my returned to FOB Ramrod I met (b) (6), (b) (7)(C) who was my replacement. I spent about 3-5 days conducting a change over for the Platoon with (b) (6), (b) (7)(C), then I took over the Platoon Sergeant position for the BN PSD in HHC, 2-1 IN.

r suffering from injuries obtained on 17 November 2009 I was unable to dismount with the Platoon for most of the time while maintained with the unit, due to back pain.

My impression of (b) (6), (b) (7)(C) was that he was skillful in his MOS which was demonstrated during a Platoon refresher training conducted in FOB Ramrod. He was physically fit. He was also somewhat quiet and stayed to himself when we were not conducting mission planning, rehearsals, PCC's/PCI's, and recovery. He seemed to be enthusiastic and motivated to be in a Infantry Platoon performing duties as a Squad Leader. He interacted more often with (b) (6), (b) (7)(C) I saw him lifting weights with (b) (6), (b) (7)(C) after patrols. He was also happy that we were able to slot him to go on R&R while he wife was on Christmas leave since she was in basic training. I think he went on leave about two weeks prior to me going on leave.

On the mission to conduct Stryker refit to KAF in Mar 2010, the personnel that went from what can remember were the following: (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) I can't recall exactly who else since there were personnel on R&R leave during this time and a few others were in KAF and Bagram for medical reasons. During this time personnel who stayed back to the best of my knowledge were (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) and a couple others that I cannot remember.

Sometime between end of Jan and beginning of Feb 2010 at around 2300 hrs. The Platoon was in route back to FOB Ramrod after conducting a patrol. We were traveling east along HWY1 when (b) (6), (b) (7)(C) identified one individual squatting on the northern side of HWY1, about 50 to 100 meters. He told us to stop that he was going to ask a him a few question since he was in known historic IED hotspot. At this time I believe (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) and their Soldiers dismounted with (b) (6), (b) (7)(C) I believe no more then 10 Soldiers total and one Afghan interpreter dismounted. The vehicles remained on the HWY conducting an overwatched. My vehicle was position about three two four hundred meters back from the spot in which this suspicious individual was at. (b) (6), (b) (7)(C) and the others were on line about 50 meters from the individual. The man stood up and started approaching the formation, at this time I hear some personnel yelling at him to stop in Pashtu. The man continue to approach the formation then visible lasers and white light came on, more yelling, the man continue to approach, the I saw and heard the men shooting warning shots, after that the man continue to approach the formation, then the individual was engaged. At this time I got on the radio and

10. EXHIBIT	11. INITIALS OF (b) (6), (b) (7)(C) MAKING STATEMENT	PAGE 1 OF 3 PAGES
-------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

reported the incident to A Troop TOC. Immediately after (b) (6), (b) (7)(C) came to the vehicle and spoke with (b) (6), (b) (7)(C) about the incident. (b) (6), (b) (7)(C) asked if he found anything, (b) (6), (b) (7)(C) nothing at this time. Then the commander told him that he better find something, to spread out the search. Then we pulled the vehicles of the HWY1 to cordon the area. I got off the vehicle and started to search with the Platoon. We found nothing in the immediate vicinity of the individual. The body was bagged and put into my vehicle. Then we continue to search around a 300 meter area. We got back on the vehicles and took the body to the Hotal Afghan Police Station. After that we return to FOB Ramrod, filled out sworn statements as of what happened, that's when I found out the a magazine was recovered from the scene, but not the particulars of who found it and where. That was handle by (b) (6), (b) (7)(C) and A Troop. 501

Attached to this document is four documents identifying the members of the Platoon and their role in it. As well as the were about's thru the time periods. This was completed prior to being interviewed by investigating officer on 4 NOV 2010 with the help of (b) (6), (b) (7)(C) the best of our knowledge. This was done under the instructions of (b) (6), (b) (7)(C)

NOTHING ELSE FOLLOWS

(b) (6), (b) (7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 2 OF 3 PAGES

APD PE v1.01ES

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

(b) (6), (b) (7)(C)

AFFIDAVIT

I, (b) (6), (b) (7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY AND WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b) (6), (b) (7)(C)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15th day of November, 2010 at _____

(b) (6), (b) (7)(C)

(Typed Name of Person Administering Oath)

W. D. Advocate
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b) (6), (b) (7)(C)

PAGE 3 OF 3 PAGES

APD PE v1.01ES

3/B/2-1 IN Roster, Prior to Deployment

	(b) (6), (b) (7)(C)			Currently with 2-1 IN (*)	
Platoon Leader					
Platoon Sergeant					
Medic					
RTO					
	1st SQD	2nd SQD	3rd SQD	Weapons	(b) (6), (b) (7)(C)
Squad Leader	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)		
A Team Leader					
B Team Leader					
Vehicle CDR					
Driver					

Moved out of the Platoon	
Name	Reason
(b) (6), (b) (7)(C)	Moved to PSD

3/B/2-1 IN Roster, Oct 09 Time Frame

Platoon Leader	(b) (6), (b) (7)(C)			Currently with 2-1 IN (*)	
Platoon Sergeant					
Medic					
RTO					
	1st SQD	2nd SQD	3rd SQD	Weapons	
Squad Leader	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	
A Team Leader					
B Team Leader					
Vehicle CDR					
Driver					
Moved out of the Platoon					
Name	Reason				
(b) (6), (b) (7)(C)	Moved to PSD				
	Moved to HHC				
	Moved back to B co				
	MEDEVAC to USA (IED)				
	Stayed in USA due to medical issues				
	Moved to PSD				
	Emergency Leave				
	ECP Guard				
	MEDEVAC to KAF for medical treatment				

3/B/2-1 IN Roster, Nov-Dec 09 Time Frame

Platoon Leader	(b) (6), (b) (7)(C)			Currently with 2-1 IN (*)	
Platoon Sergeant					
Medic					
RTO					
	1st SQD	2nd SQD	3rd SQD	Weapons	
Squad Leader	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	
A Team Leader					
B Team Leader					
Vehicle CDR					
Driver					
Moved out of the Platoon					
Name	Reason				
(b) (6), (b) (7)(C)	Moved to PSD				
	Moved to HHC				
	Moved back to B co				
	MEDEVAC to USA (IED)				
	Stayed in USA due to medical issues				
	Moved to PSD				
	Emergency Leave				
	ECP Guard				
	MEDEVAC to KAF for medical treatment				
	MEDEVAC to USA (IED)				
	Moved back to B co (demoted)				
	Leave				
	MEDEVAC to KAF (IED)				
	Acting SQD LDR for 2nd SQD				

3/B/2-1 IN Roster, Jan-Mar 10 Time Frame

Platoon Leader	(b) (6), (b) (7)(C)			Currently with 2-1 IN (*)	
Platoon Sergeant					
Medic					
RTO					
	1st SQD	2nd SQD	3rd SQD	Weapons	
Squad Leader	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	
A Team Leader					
B Team Leader					
Vehicle CDR					
Driver					

Moved out of the Platoon	
(b) (6), (b) (7)(C)	Reason
	Moved to PSD
	Moved to HHC
	Moved back to B co
	MEDEVAC to USA (IED)
	Stayed in USA due to medical issues
	Moved to PSD
	ECP Guard
	MEDEVAC to KAF for medical treatment
	MEDEVAC to USA (IED)
	Moved back to B co (demoted)
	MEDEVAC to KAF for medical treatment
	Leave from 27 Dec-25Jan
	ECP Guard
	MEDEVAC to KAF for medical treatment

RIGHTS WARNING PROCEDURE WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is CDCSCPS

DATA REQUIRED BY THE PRIVACY ACT

IDENTITY: Title 10, United States Code, Section 3012(g)
PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified
USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION HQ 1 Corps	2. DATE 4 Nov 10	3. TIME 1605	4. FILE NO
5. (b) (6), (b) (7)(C)	8. ORGANIZATION OR ADDRESS (b) (6), (b) (7)(C)		
6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS (b) (6), (b) (7)(C)		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army AR 15-6 officer and wanted to question me about the following offense(s) of which I am

suspected dereliction of duty

(b) (6), (b) (7)(C) he/she asked me many questions about the offense(s), however, he/she made it clear to me that I have the following rights:

do not have to answer any question or say anything.

anything I say or do can be used as evidence against me in a criminal trial.

For personnel subject to the UCMJ, I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer appointed for me before any questioning begins.

I am now willing to discuss the offense(s) under investigation with or without a lawyer present. I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (if available)		3. (b) (6), (b) (7)(C)
1a. NAME (Type or Print)		(b) (6), (b) (7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE		

Section C. Nonwaiver

1. ☒ I do not want to give up my rights
☐ I want a lawyer ☐ I do not want to be questioned or say anything

NATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SACRN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

USAPA 2.01

58

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Bldg 11871 JBLM	2. DATE (YYYYMMDD) 2010/11/10	3. TIME 1803	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b) (6), (b) (7)(C)	6. SSN (b) (6), (b) (7)(C)	7. GRADE/STATUS E7	
8. ORGANIZATION OR ADDRESS HHC 2/1 INF 2/2 BDE JBLM			

9. I, (b) (6), (b) (7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On or about 27th, 28th of March I had took over third platoon Bravo Company 2/1 Inf. I would describe third platoon Bravo Company as discipline and motivated platoon. Compared to the other platoon, while I served in Alpha Company 2/1 Inf. The platoon in Alpha Company would whine and complain about just everything, from missions or to a simple thing as doing a police call. I would assessed the squad leaders of third platoon Bravo Company as discipline, motivated and task orientated. I would give the squad leaders a task, such as resupply the vehicles or NCOER's have it done by this time, and it would get done. Once again compared to the squad leaders in Alpha Company, I would have to consist ask for such things after the time suspense given. I would assessed third platoon Bravo Company motivated and discipline. The soldier's would be given a task or detail, they would complete the task or detail to standard and on time. Everything from weapons maintenance to resupply the vehicles. Third platoon Bravo Company would know what type's of missions were coming up a week at a time. The platoon leader and I would receive guideness from the A Troop commander prior the next day mission or missions. Once we were briefed, platoon leader and I would brief the squad leaders. A hour prior to the platoon starting the mission, all soldiers would go to the motor pool, unless on FOB detail, such as mayor cell. Once down in the motor pool, crews would pmcs, check load plans and prep weapons systems for the vehicles. The squads would conduct PCC/PCI's on weapons, nvgs and personnel equipment. Once all pmcs and PCC/PCI's the platoon conducted three rehearsal, which included roll over, fire drill and IED strike. After all of these are done, the platoon leader would give his mission brief to the whole platoon, what the mission was, who was dismounting and who where staying with the vehicles. Once all this was done we would start our mission. Depending on the mission either a dismounted patrol with a key leader engagement, the platoon leader would dismount with two squads and M240 team with the weapons squad leader and platoon RTO. The platoon sergeant would stay with the vehicles to send reports, move the vehicles as necessary and the forward observer for indirect fires. Though at times we would conduct key leader engagements while conducting snap TCP's in same area of the village the key leader engagement. Other operations conducted, where deliberate TCP's, that platoon leader would have a squad with one vehicle and I would have the other squad and two vehicles. We would conduct day and night observation post over watching known IED spots. On occasion, the platoon would conduct small kill teams consisting of the platoon leader, RTO, M240 team and one squad, while I had the vehicles and other squad with forward observer. On night operations, we were required to shoot a minimum of three alliums missions. Hourly radio checks, sitreps and any other significant was reported. After all mission were completed and returned to the FOB, the platoon leader would due the debriefs at the Troop TOC. My impression of (b) (6), (b) (7)(C) was, a leader who was down to earth, approachable, understanding and intelligent person. (b) (6), (b) (7)(C) is one three Lieutenants that I would follow any where, as a Platoon Sergeant or a First Sergeant when he was a Company Commander. Alpha Troop chain of command presence was not seen that often. The commander and first sergeant seldom went on patrols or interacted with the soldiers. Roughly the number of platoon missions the commander went on was four. The number of platoon missions the first sergeant went on was roughly two. The battalion level chain of command had never went on any platoon mission's. The only time you would see the any of the commanders or the battalion Command Sergeants Major was either when handing out awards or promotions. The Alpha Troop First Sergeant, would walk around periodically in the motor pool or around the living areas, checking

Para 303

10. EXHIBIT	11. IN (b) (6), (b) (7)(C) SON MAKING STATEMENT	PAGE 1 OF 3 PAGES
-------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF **(b) (6), (b) (7)(C)** TAKEN AT 1803 DATED 2010/11/10

9. STATEMENT (Continued)

ensure the areas where policed up or uniforms standards were kept prior to missions. *Nothing else follows*

(b) (6), (b) (7)(C)

INITIALS OF PERSON MAKING STATEMENT **(b) (6), (b) (7)(C)**

PAGE 2 OF 3 PAGES

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

AFFIDAVIT.

_____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b) (6), (b) (7)(C)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15th day of November, 2010 at _____

(b) (6), (b) (7)(C)

(Signature)

(Typed Name of Person Administering Oath)

Judge Advocate
(Authority To Administer Oaths)

INITIALS OF (b) (6), (b) (7)(C) STATEMENT

PAGE 3 OF 3 PAGES

59



Illegal Drug Use

- 18 of 23 listed subjects suspected of wrongful possession or use of Marihuana (Hashish); subjects units: B Co 2/1 Inf – 15; 402nd BSB – 1; A Trp 8/1 Cav – 1; Unknown - 1
- 4 of 18 listed suspects suspected of Wrongful Distribution of Marihuana (b) (6), (b) (7)(C) (all B Co, 2/1 Inf)
- Drugs obtained from Afghan Local Nationals and shared with members of the platoon
- Drugs were reportedly used two to three times weekly
- Drugs consumed inside of containerized housing units (CHU)
- Testimonial evidence, admissions, and confessions implicate 18 subjects listed in the report
- Suspects went to great lengths to conceal their drug use from their chain of command

60



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT BLISS
1733 PLEASANTON RD
FORT BLISS, TEXAS 79916

REPLY TO
ATTENTION OF:

AFBL-DCG

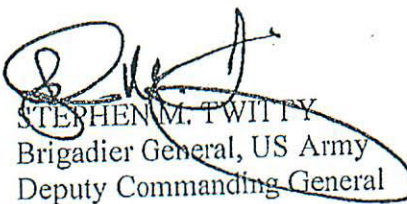
10 December 2010

MEMORANDUM FOR RECORD

SUBJECT: Brigade Orders

1. During the course of the investigation, I interviewed numerous Battalion-level staff officers.
2. Several battalion staff Majors complained about the lack of written operations orders coming from the Brigade. Most of the direction battalions received was through telephonic instruction from the Brigade S3 or XO. The lack of written guidance further frustrated the ability of battalion staff to discern the Brigade Commander's intent.
3. For further assistance, please contact me at (b) (6), (b) (7)(C) or via email at

(b) (6), (b) (7)(C)


STEPHEN M. TWITTY
Brigadier General, US Army
Deputy Commanding General

61



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT BLISS
1733 PLEASANTON RD
FORT BLISS, TEXAS 79916

REPLY TO
ATTENTION OF:

AFBL-DCG


10 December 2010

MEMORANDUM FOR RECORD

SUBJECT: Platoon Tactics

1. During the course of the investigation, I interviewed numerous Soldiers operating at the platoon level.
2. As it related to how they fought, most agreed that their platoons executed their operations based on guidance from the company command level, as opposed to being primarily guided by higher echelons of command.
3. The point of contact for this memorandum is the undersigned at (b) (6), (b) (7)(C) or via email

(b) (6), (b) (7)(C)


STEPHEN M. TWITTY
Brigadier General, US Army
Deputy Commanding General

62



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT BLISS
1733 PLEASANTON RD
FORT BLISS, TEXAS 79916

REPLY TO
ATTENTION OF:

AFBL-DCG


10 December 2010

MEMORANDUM FOR RECORD

SUBJECT: Rules of Engagement and Soldier Cards

1. During the course of the investigation, I conducted oral interviews with Soldiers at all levels within 5/2 SBCT.
2. When discussing Rules of Engagement, many Soldiers offered that the smart card that they were required to carry, in addition to the tactical directives issued by their battalion commanders, were helpful tools in reinforcing ROE guidance.
3. For further assistance, please contact me at (b) (6), (b) (7)(C) or via email at

(b) (6), (b) (7)(C)


STEPHEN M. TWITTY
Brigadier General, US Army
Deputy Commanding General

63



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT BLISS
1733 PLEASANTON RD
FORT BLISS, TEXAS 79916

REPLY TO
ATTENTION OF:

AFBL-DCG

10 December 2010

MEMORANDUM FOR RECORD

SUBJECT: Monthly ROE and EOF Training

1. During the course of the investigation, I conducted oral interviews with several of the Battalion commanders who deployed with 5/2 SBCT.
2. Battalions were directed by COL Tunnell to conduct monthly ROE and EOF training, requiring a report of 100% completion to the Brigade TOC. The tactical directives produced at Battalion level similarly required monthly training on ROE and EOF.

3. For further assistance, please contact me at (b) (6), (b) (7)(C) or via email at (b) (6), (b) (7)(C)


STEPHEN M. TWITTY
Brigadier General, US Army
Deputy Commanding General

64



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT BLISS
1733 PLEASANTON RD
FORT BLISS, TEXAS 79916

REPLY TO
ATTENTION OF:

AFBL-DCG


10 December 2010

MEMORANDUM FOR RECORD

SUBJECT: Inspections

1. During the course of the investigation, I interviewed commanders at each level within 5/2 SBCT.
2. Other than comments about inspecting the health conditions of Soldiers at more remote outposts, commanders generally stated that they did not conduct health and welfare inspections of their Soldiers during the deployment. Similarly, commanders did not conduct urinalysis inspections of their Soldiers. None of the commanders reported any concerns that their Soldiers might have been using drugs downrange. Once news of the drug use in 3/B/2-1 surfaced, some units conducted urinalysis testing and health and welfare inspections.

2. For further assistance, please contact me at (b) (6), (b) (7)(C) or via email at (b) (6), (b) (7)(C)


STEPHEN M. TWITTY
Brigadier General, US Army
Deputy Commanding General

65



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT BLISS
1733 PLEASANTON RD
FORT BLISS, TEXAS 79916

REPLY TO
ATTENTION OF:

AFBL-DCG

10 December 2010

MEMORANDUM FOR RECORD

SUBJECT: Explosives Accountability

1. During the course of the investigation, I interviewed commanders, staff officers, and soldiers at each level within 5/2 SBCT.

2. The initial distribution of high explosives out to the battalions was apparently conducted properly with requiring soldiers to sign DA Form 581 for ammunition accountability. After that initial distribution, units generally reported that ammunition accountability was inconsistent in their units.

3. For further assistance, please contact me at (b) (6), (b) (7)(C) or via email at

(b) (6), (b) (7)(C)


STEPHEN M. TWITTY
Brigadier General, US Army
Deputy Commanding General

66



DEPARTMENT OF THE ARMY
HEADQUARTERS, FORT BLISS
1733 PLEASANTON RD
FORT BLISS, TEXAS 79916

REPLY TO
ATTENTION OF:

AFBL-DCG

09 December 2010

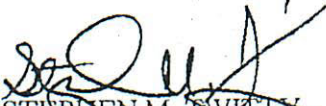
MEMORANDUM FOR RECORD

SUBJECT: Interview with BG John Nicholson

1. On 26 October 2010, I conducted a telephonic interview with BG John Nicholson from Joint Base Lewis McChord, Washington. During that interview he made the following statement.

BG Nicholson stated that he lacked confidence in COL Tunnell's ability to effectively command his brigade, and that he did not request relief because he wanted COL Tunnell to be successful, even if it meant more involvement than what was normally required of a general officer when dealing with a brigade commander.

2. The point of contact for this memorandum is the undersigned at (b) (6), (b) (7)(C) or via email at (b) (6), (b) (7)(C)


STEPHEN M. TWITTY
Brigadier General, U.S. Army
Deputy Commanding General